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THE

HISTORY OF CANADA.

BY

WILLIAM KINGSFORD, LL.D., F.R.S. [CANADA].

VOL. VIII.

[1808-1815.]

[WITH MAPS.]



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PREFACE TO THE EIGHTH VOLUME.

This volume contains the narrative of the war of 1812, to the ratification, at Washington, of the Treaty of Ghent, on the 18th of February, 1815. Although the events of the years antecedent to the war cannot be recognized as having been its immediate cause, I have deemed it essential, from their importance, to relate them at some length.

As in the preceding volumes, I have given references to the authorities on which my statements are based, to admit of the verification of any disputed point. I have endeavoured in all cases to avoid controversy, and have confined myself to a narrative of the incidents, as they are presented by contemporary documents.

I considered it a duty to visit the sites of the several conflicts, so that I might accurately describe them. I had the good fortune to be accompanied by senator MacInnes, one of the most active members of the Wentworth Historical Society. The subject had been a study with him for years. Thus, I not only obtained the pleasure of his society, but I profited by his information. The enjoyment of his hospitality at Dundurn Park, the grounds of which include much of the old post of "Burlington Heights," must ever remain with me a most pleasurable recollection.

While entertaining the hope that my humble endeavour may cause the history of the time to be more generally known, I have striven likewise to make it understood, that Canada was not involved in the contest from any wrong committed against the United States, or even from the belief that feelings of hostility were entertained by us against them; but owing to the provinces being a portion of the British empire, and at the same time held to be its most vulnerable part.

I disclaim any desire of reviving forgotten bitterness of national feeling, or of calling forth dormant antagonism. I have not rancourously disinterred the weapons that have lain rusty beneath

the sod of the battle fields. I would gladly see those that have survived the contest converted into ploughshares. For the plough is the first instrument of civilization. It is impossible, however, not to recognize, that, in whatever light the war may be regarded, it is important that its history should be related with a strict regard to truth; however much that truth may be attended with pain.

In Canada, we can have no feeling towards the United States but the desire to be the best of neighbours, and the truest of friends. Many of us entertain beyond the line intimacies and relationships, which we cherish with tenderness and loyalty. There must ever be much in common with the Northern States and ourselves, in all that constitutes comity and civilization. If we prefer our own institutions, and the nationality under which we live, the fact should not bear unfavourably on the friendliness of our intercourse. Above all, it should not affect our literature. We have, at least, a common language; while our theories of personal liberty, and our political training are founded on the same principles and conditions.

In Canada, Great Britain must ever be recognized as the mother of parliaments, the upholder of true liberty, and as worthily filling the foremost place in the promotion of wise civilization.

We cannot in the Dominion cheat ourselves with the belief that this is the universal feeling in the United States; but we do know that it is the view entertained by millions in the republic, and they are its best citizens.

There is a special class in the Union to which I desire to allude. I do so with confidence in its justice and fairness: that of my *confrères* in the critical school of literature, which has there attained the foremost rank. I submit this history to those who compose it, with the hope that they will not deny me their recognition, as a representative of the principles which they profess; and that they will do me the justice to believe, that I have not intentionally misrepresented a single incident of the trying years of which this volume treats.

W. K.

OTTAWA, CANADA,

Tuesday, 1st October, 1895.

CONTENTS OF THE EIGHTH VOLUME.

BOOK XXVII.—CHAPTER I.

[1801–1805.]

PAGE.

Early events of the century	1
Napoleon's engagement to the prince of Parma	2
Louisiana transferred to France	2
United States desirous of obtain- ing West Florida	3
Napoleon's theory as to San Domingo	3
His policy threatening to Canada,	4
Condition of San Domingo	4
Toussaint Louverture	5
General Le Clair	6
Laussat	7
Depot at New Orleans	7
Monroe's mission	8
French diplomacy	9
Proceedings of Napoleon	10
His offer to cede Louisiana	10
Its purchase by the United States,	11
Attitude towards Great Britain	11
Desertion of seamen	12
Case of Nash of the "Hermione"	12
Desertions from British ships	13
Claim of impressment by Great Britain	14
Remonstrances of the British minister	15
Jefferson's political character	15
His proceedings with the British minister	15
War between England and France, 1803	16
Merry, the British minister	16
His reception by Jefferson	17

	PAGE.
Refusal to ratify treaty of Rufus	
King	17
Claim of United States to Florida	18
Monroe as British minister	18
Gallatin's estimate of number of British deserters	19
Re-election of Jefferson in 1805	19
Madison and the French ministers	20
Canada compared to a pear	20
To fall when ripe	20
Non-importation resolutions	21
Accidental death of John Pearce	21
Duke of Portland's ministry	22
Fox, foreign minister	22
Napoleon's success	23
Berlin decrees	23
Jefferson's French sympathies	24
Fox's death: his last political views	25

CHAPTER II.

[1806.]

Orders-in-council	26
Pinkney in London	27
Instructed to enter into a treaty	27
Monroe's treaty	28
Not in accord with his instructions	29
Jefferson and Madison refuse ratification	30
Without reference to senate	30
Affair of "Leopard" and "Chesapeake"	31
The "Halifax" armed sloop at Hampton roads	32
Insult to lord Townshend by deserters	32

PAGE.		PAGE.	
Admiral Barclay	32	Address to him from the towns	55
His orders at Halifax	33	The press of <i>le Canadien</i> seized	56
Captain Humphrey in the “Leopard”	33	The arrests which followed	57
Canning’s note to Monroe	34	Craig’s proclamation	57
Correspondence between them in London	34	Read by chief-jnstice Sewell in court	58
Proclamation to British seamen	35	Bedard retained in prison	59
The non-importation act	36	Ryland sent to London	59
Mr. G. H. Rose, envoy to Washington	36	His mission to England	60
His instructions	37	His proposal to seize property of sulpicians	61
His arrival in Hampton roads	38	Opinion of law officers of the crown	61
Failure in the negotiations	38	Proposed suspension of the con- stitution	62
Disavowal of admiral Barclay’s order	39	Opinions of the attorney-general	63
The Milan decrees	40	On the utterances of <i>le Canadien</i>	63
Constant expectation of war	41	Ryland leaves London	64

CHAPTER III.

[1807-1811.]

Arrival of sir James Craig,	
Quebec	42
His advisers	43
His rectitude and good intentions .	44
Powers claimed by legislative assembly	45
Militia general order	46
Convenes his first legislature . .	47
Expulsion of Mr. Hart, a Hebrew merchant	48
The new elections	48
Dismissal of five militia officers .	49
Panet elected speaker	49
Introduction of bill excluding Jews	50
Craig prorogues parliament . .	50
Influence of <i>le Canadien</i>	51
Craig’s progress to the east . .	51
Meeting of the new parliament .	52
Vote to defray expenses of govern- ment	52
Without reference to legislative council	53
Motion for an agent to reside in England	54
Craig again prorogues the house .	54

CHAPTER IV.

[1808-1811.]

John Henry’s first letter, in 1808, .	66
Sent by Craig to describe public opinion in United States	67
In London in 1810	68
Refused the reward he claimed . .	69
Sells the correspondence to Madison	69
Matter discussed in England	69
New elections in Canada, 1810 . .	70
Meeting of house in December, 1810	70
Craig’s government	71
Craig’s last address	72
Objects aimed at by Lower Canada majority	73
Dismissal of solicitor-general Stuart	74
Mr. [sir James] Stuart	75
Attorney-general Uniacke	76
Craig’s views of the defence of Canada	77
Dissatisfaction of the Indians . . .	77
Battle of Tippecanoe	78
Craig’s departure	79
Craig’s character	80
Prosperity of Canada	81

PAGE.	PAGE.			
The lumber trade	81	Bennett's letter	107	
Craig's road	82	Gore transfers government to Brock	108	
The first steamer, the "Accom- modation"	82	Establishment of grammar schools .	108	
John Molson, projector of steam vessels on the Saint Lawrence	84	Condition of Upper Canada [1810] .	109	
 CHAPTER V.				
[1806-1811.]				
Lieutenant-governor Gore	86			
Difficulties in his government	87			
"Family compact" non-existent at this date	87			
Judge Thorpe	88			
Gore arrives at York [Toronto]	89			
Weeks, a barrister; his career and death	90			
Judge Thorpe elected to the legis- lature	91			
Surveyor-general Wyatt	91			
His suspension of Ridout	92			
Wyatt proceeds to England	93			
Joseph Willcocks	94			
Wyatt's suit against Gore	94n.			
<i>The Upper Canada Guardian</i>	95			
Supposed to be subsidized from New York	96			
Imprisonment of Willcocks not caused by Gore	97			
Ordered by the legislature	98			
Character of Willcocks	99			
John Mills Jackson	99			
His pamphlet	100			
Gore's reply to it	100			
Declared by legislature to be false and scandalous	101			
Gore's government	102			
Thorpe's political activity	102			
His suspension from the judgeship .	103			
Leaves Canada	103			
Moderation of Gore's government .	104			
Attorney-general Firth	105			
His pretensions	105			
Violation of British territory	106			
Murder of Underhill by captain Bennett, U.S. 6th regiment	106			
Indignation of the inhabitants	107			
 CHAPTER VI.				
[1811-1812.]				
Sir George Prevost arrives at Que- bec	115			
His family and marriage	115			
Visits Montreal and south of Saint Lawrence	116			
Meeting of legislature	117			
Vote regarding sir James Craig's administration	117			
Motion payment members of legis- lature	118			
Liberal provision, public service .	118			
Trade with United States	119			
Its unfavourable regulations towards Canada	119			
Prevost conciliatory with French Canadians	120			
United States agents endeavour to create dissatisfaction	120			
Belief in the easy conquest of British America	121			
Great Britain opposed to war	121			
Neither affection nor respect felt for the United States	122			
Canada unprepared for war	122			
Napoleon's march to Russia begun	123			
In Canada war felt to be inevitable	123			

PAGE.	CHAPTER VII.	PAGE.	
	[1809.]		
Lord Liverpool's belief that peace can be maintained	123	Mr. Madison, president, 1809	137
Direct preparations to be discontinued	123	Daniel Montague Erskine, British minister	137
Brock recommends provision for active measures	124	Reports conversation with the president and Gallatin	138
Foster, the British minister, believed war could be avoided	125	More friendly relations with Great Britain desired	138
Neglect of Canada by Percival's government	125	Instructions given to Erskine to conclude treaty	139
Brock meets Upper Canada legislature	126	Canning's despatch	140
His speech calls forth confidence	126	Erskine departs from his instruc- tions	141
Fails to obtain oath abjuring foreign allegiance	127	Admits unwarrantable conditions into treaty	142
Difficulties of his position	127	Madison's insulting expressions	143
House of assembly claims extra- ordinary powers	128	Accepted by Erskine	143
Persecution of colonel Nicholl	128	Treaty disavowed in London, Erskine recalled	144
Chief-justice Scott orders his release	129	Publication of dispatches	145
Proceedings of the house	129	Non-importation act proclaimed	146
Brock's activity	130	Mr. Francis James Jackson, British minister	146
Public feeling during 1811	131	His arrival at Washington	147
Opinion in the United States that the power of Great Britain was passing away	131	The contrast between Erskine and Jackson	148
The "Lord Nelson" seized in lake Ontario	132	Difficulties thrown in the way of negotiation	149
Neglect of the British minister Foster to notify declaration of war	132	News from Europe gives confi- dence to Madison	150
Information sent to Prevost and Brock by private firms	132	Jackson's arguments	150
Forsyth, Richardson & Co. : McTavish, McGillvray & Co.	132	Jackson out-argues Madison	151
"Subjects" of the United States ordered to leave Canada	133	Madison's unworthy, cowardly proceeding	151
War forced upon Canada as a part of British empire	133	Further communication with Jackson refused	151
Depression in England	134	Jackson's circular to the British consuls	151
Belief in the United States that Napoleon would conquer Russia	135	President sustained by majority in congress	152
That he would afterwards crush Great Britain	136		

CHAPTER VIII.	[1809-1812.]
Jackson at Baltimore and New York	154

PAGE.	BOOK XXVIII.—CHAPTER I.
	[1812.]
Receives much private attention	PAGE.
Passes through New York to	Hesitation of Percival's govern-
Montreal and Quebec	ment 179
Leaves New York	Repeal of orders-of-council re-
Duc de Cadore declares Berlin and	fused 180
Milan decrees evoked	Assassination of Percival 180
Pinkney submitted fact to lord	Lord Liverpool's government sus-
Wellesley	pend orders-in-council 181
Marquess Wellesley unable to	News reaches Canada in August 181
recognize revocation	Prevost sends colonel Baynes to
Proceeding of France towards	Albany with proposal of arm-
United States	istice 181
The Rambouillet decree	President disallows Dearborn's
Madison's proclamation	provisional agreement 182
Arrival of Serrurier, French min-	Foster suggests British abstain
ister	from all invasion 182
Impediments thrown in way of re-	Incapacity of the British ministry
conciliation with Great Britain 161	in not seeing war could not
The question of impressment re-	be avoided 183
opened	Canada utterly unprepared for
Pinkney leaves the mission in	war : without men, without
London	money 183
Takes leave of prince Regent	Canada's army bill act 184
Finds Monroe secretary of state	Its operation 185
The "President" and "Little	Brock in command in Upper
Belt"	Canada 186
Reparation for the event of the	Not taken by surprise 187
"Chesapeake" accepted	Receives no encouragement from
Meeting of new congress	Prevost 187
Arraignment against Great Britain	Hull's invasion 188
Henry's papers published	His bombastic proclamation 189
Caucus for election of new presi-	Brock's counter proclamation 190
dent	Brock assembles legislature, Upper
Leaders of the war party and	Canada 191
Madison	Disloyal party in the house of
Refuse support unless he declares	assembly 192
for war policy	Descendants of the U. E. loyalists 192
Henry Clay's violent speech	Michillimackinac taken 193
Madison plainly told he could only	Prevost's difficulties 194
receive nomination upon con-	His complaint "of the infatuation
dition of declaring war	of his majesty's ministers" 195
Receives entire vote	Procter sent to command at Am-
Success of Napoleon believed to	herstburg 195
threaten annihilation of Great	
Britain	Attempt of Hull's parties to pass
War declared on the 18th of June 173	river-aux-Canards 196
Jackson at Montreal and Quebec 174	

PAGE.	PAGE.		
Defeat of major Van Horne at Brownstown	197	Reports his views to Brock	217
Hull re-crosses the Detroit river	197	The Canadian side of the Niagara	217
Affair at Maguaga	198	United States force leaves Lewis-	
Eleven <i>bateaux</i> and boats taken	198	ton	218
Brock, with volunteers, ascends lake Erie	199	Land on Canadian shore	219
Arrives at Amherstburg	199	Attack of Queenston heights	220
Tecumseh	200	Death of Brock	221
Organization to attack Detroit	201	Reinforcements arrive	222
Landing of troops	201	Defeat of United States force	223
Surrender of Detroit	202	Evans at Niagara	224
Brock calls to the front Dean, private of 41st, who defended the bridge	203	Smyth succeeds Van Rensselaer in command	224
Brock gives sash to Tecumseh	204	Application for armistice, granted by Sheaffe	224
Effect of fall of Detroit on Canada	205	Fire in magazine subdued	225
Brigadier Hull a prisoner	205	Van Rensselaer's report of action, Declares militia refused to cross river	226
CHAPTER II.		Commodore Chauncey at Sackett's harbour	227
[1812.]		The schooner "Simcoe"	227
Brock returns to York	206	Attack upon Gananoque	228
Learns on lake Erie of armistice	206	Failure in attempt upon Ogdensburg	229
Sheaffe's favourable construction of its conditions	207	Bombardment of fort Niagara and of fort George	229
Prevost's want of capacity	207	General Smyth	230
His apology for the capture of Detroit	208	Armistice discreditably terminated by Smyth	230
Brock at Kingston	208	Attack on Canadian posts, upper Niagara	231
Patriotism of Canadian women	209	Defeat of expedition	232
Shots fired at Canadian sentries	209	Smyth summons fort Erie	233
Prevost orders evacuation of Detroit	209	Bissopp's refusal to surrender	233
Brock, by the discretion allowed him, did not carry out order	210	Failure of third attempt of 1812 at invasion	234
Two vessels cut out at fort Erie by U. S. boats	211	The "Loyal and Patriotic Society"	235
Activity in United States naval preparations	212	Sir Iasac Brock	237
United States forces on river Niagara	212	General Evans	239
Queenston and Niagara threatened	213	CHAPTER III.	
Major Evans, of the 8th	214	[1812-1813.]	
His visit to Queenston	215	Attack of Saint Regis	240
Visiting United States side, discovers signs of attack	216	United States post on Salmon river taken	241
		Defences in Lower Canada	241

PAGE.	CHAPTER IV.	PAGE.	
Attack of Odelltown	242	[1813.]	
Meeting legislature Lower Canada	243	Predicted conquest of Canada	269
Mr. [sir James] Stuart opposes government	243	Arrival of naval forces	269
Bill to tax salaries of officials only	244	Sir James Yeo	270
Letter of "Juniolus Canadensis"	245	Attack of Sackett's harbour	271
Attempt to arrest Mr. Cary of Quebec <i>Mercury</i>	245	Prevost in command	272
Prevost's despatches	246	His irresolution	272
Assumes merit of Brock's services	246	Landing of British force	273
Sheaffe summons parliament of Upper Canada	247	Sir George Prevost orders a retreat	274
Designs of United States	248	Consequences of failure	275
Predatory attack of Elizabethtown (Brockville)	249	Dearborn sends expedition to Burlington heights	276
Col. M'Donnell's reception at Ogdensburg	249	Stoney Creek	277
Attack on Ogdensburg	250	United States force encamped at this place	278
Its success ; and its importance	251	Night attack by Harvey with the bayonet	279
Bombardment fort Erie on St. Patrick's day	252	Its success	280
Chuncey on lake Ontario	253	Prisoners taken by British	281
York [Toronto] attacked	253	United States flotilla of boats defeated	282
Its means of defence	254	Yeo's report of attack	283
Landing of United States troops,	255	Sir John Harvey's services	283
Great loss of the 8th regiment	256	"Stoney creek" a turning point in the war.	284
Explosion of magazine, death of brigadier Pike	256	Vincent's generous behaviour to Harvey	285
Sheaffe abandons York	257	Sir James Carmichael Smith's opinion	285
Capitulated by major Allan and Dr. [bishop] Strachan	258	Winter march of the 104th from New Brunswick	286
Bishop Strachan's letter	259	Lieutenant FitzGibbon at the Beaver dams	287
Difficulties in the negotiation	260	Lieutenant-colonel Boerstler arrives at Saint David's	288
The public buildings burned ; private property "looted"	261	Laura Secord	289
Sheaffe much blamed	262	Her passage to the Beaver dams	290
Superseded by Prevost	263	An ambuscade laid for Boerstler's march	291
Attack of fort George, Niagara	263	FitzGibbon comes upon the scene	292
Landing of troops	264	Obtains surrender by Boerstler of United States force	293
Vincent retires to Burlington heights	266	Number of troops present	294
United States treatment of population	267		
Burlington heights	268		

CHAPTER V.

[1813.]

PAGE.

Procter sends detachment to attack fort Wayne	296
Major Muir abandons the expedition	297
His retreat	298
Picket at river Raisins driven back	299
General Winchester occupies ground	299
Procter's attack of Winchester	300
His tactics criticised	300
Winchester defeated	301
Procter made brigadier-general	302
His attack of fort Meigs, on the Maumee	303
Harrison's sortie	304
Procter abandons siege	305
United States' activity on lake Erie	306
Procter's second expedition against fort Meigs	307
Its failure	307
Attack of Sandusky	308
Its failure	308
United States force on lake Erie	309
Barclay in command British flotilla, lake Erie	310
Desperate position Amherstburg garrison	311
Barclay, unprepared, sails out to fight	311
His defeat by commodore Perry	312
Procter at Amherstburg	314
Summons a council; retreat determined	315
Amherstburg and Detroit abandoned	315
Immense quantity of baggage	316
Pursued by Harrison	317
Overtaken west of Moraviantown	318
Action of the 5th of October	319
Defeat of British force	320
Death of Tecumseh	321
Escape only of lieutenant Bullock, of the 41st, and 50 men	321
Flight of Procter	322

	PAGE.
At Ancaster	322
His conduct during the march from the Detroit	323
The 23 deserters taken at Queenston	325
News of Napoleon's defeat at Leipsic	325
Exchange of prisoners	326
Finally arranged at Champlain	327
Paroles improperly exacted by United States	327
Prevost's general order on the subject	328
Procter tried by court-martial	328
The sentence	329
Breach of parole by United States officers	332
BOOK XXIX.—CHAPTER I.	
[1813.]	
De Rottenberg in command, Upper Canada	339
Colonel Clark, Lincoln militia	339
Surprises fort Schlosser	339
Lieutenant-colonel Bissopp	340
Attack on Black Rock	340
Success of expedition; death of Bissopp	341
Chauncey sails to Burlington heights	341
York taken by United States troops	342
Action between fleets	342
United States vessels "Julia" and "Growler" taken	343
Naval action off river Genesee	343
Naval action of 28th September	343
15 British <i>bateaux</i> and small gun-boat taken	344
Attempt to re-take them at Goose creek	344
Failure of attempt	345
Prevost's reconnaissance from fort George	345
Effect of Procter's surrender	346
War policy of United States	346
To make passage of the Saint Lawrence impossible	347

PAGE.	PAGE.		
Arrival of the de Meuron and de Watteville regiments	347	Captain Mailloux	362n.
Wilkinson appointed to chief command	347	De Salaberry ordered to harass Hampton	363
Concentrates troops at Sackett's harbour	348	Hampton advances to the Château-guay	364
Descends Saint Lawrence with his force	349	Difficulty in describing action	365
His proclamation	349	Arrival of colonel M'Donnell	365
Landing of United States force	350	The action of the 26th of October at Châteauguay	366
The British force	350	Hampton's retreat	368
British land at Hamilton, New York	351	Prevost's disingenuous despatch	369
Agreement entered into with citizens	351	Importance of the action	370
Subsequently repudiated by U.S. government	351	Correspondence on the injustice to de Salaberry	371
Wilkinson descends rapids	351	Danger to Canada threatened	373
Boyd accepts battle	352	Châteauguay; site of action	374
Battle of Chrystler's	353		
Colonel Morrison, of the 89th	353		
The action	354		
Wilkinson hears of Hampton's retreat	355		
Ascends Salmon river to French mills	355		
Wilkinson remains at this spot until February	356		
Pursuit of his column	356		
Desertion from British ranks	356		
Chrystler's	357		
Why spelt "Chrystler's"	357		
CHAPTER II.			
[1813.]			
Île-aux-Noix	358	Effect of Procter's disaster	375
Capture of "Growler" and "Eagle"	359	Prevost's order abandonment of Burlington heights	376
Colonel Murray at Plattsburg	360	Disastrous consequences which would have resulted	377
Captain Pring at Burlington	360	Council of war resolve to hold the ground	377
Captain Elliott at Champlain	361	Bostwick's gallant exploit	377
Hampton in command in lake Champlain	361	General McClure at fort George	378
Abandons march to Odelltown	362	Burns Niagara	379
Marches by Champlain to "Four Corners"	362	Wilkinson endeavours to exculpate Armstrong	380
		Armstrong's letter of authorization	380
		Fort George evacuated	381
		Sir Gordon Drummond arrives	381
		His career	382
		General Riall	382
		Fort Niagara captured	383
		Expedition on eastern bank river Niagara	384
		Retaliation for burning of town of Niagara	385
		Black Rock	385
		Buffalo taken	386
		Deserter shot	387n.

PAGE.	PAGE.		
The defence of Montreal	388	Attack of "Junon" by boats : its failure	417
Control of lakes necessary to safety of Upper Canada	389	Attack of Craney island	418
Public feeling at close of 1813	390	Its failure—and consequent losses	419
 CHAPTER IV. [1813.]		The so called "Canadian Chasseurs"	419
		Attack of Hampton	420
		Misconduct of foreign troops	421
		The regiment removed from active service	421
		Ocracoke harbour, North Carolina	421
		Feeling in Canada close of 1813	421
		The "Pelican" and "Argus"	423
		The "Dominica" and "Decatur"	423
		The "Boxer" and "Enterprise"	423
		The United States privateers	424
		Condition of United States, 1813	425
		Table of ships lost by British in the war	426A
		Table of ships lost by U.S. in the war	426B
		 BOOK XXX.—CHAPTER I. [1814.]	
		Meeting of Lower Canada legislature	429
		Lower Canada during the war	429
		Attack by house on legislative council	430
		Votes of thanks to de Salaberry and Morrison	430
		Mr. Stuart [sir James] in the opposition	431
		His position in the house	431
		Charges against the chief-justices	431
		Articles of accusation	432
		Stuart named agent of impeachment	433
		Reception by governor of articles	433
		Dissatisfaction of house of assembly	433
		Addresses from the cities to the chief-justices	434
		Appointment of agent in London	435
		To represent house only	435

CONTENTS.

xv

	PAGE.
Bedard named	435
Address to prince regent from house only	436
No money voted for expenses	436
Upper Canada parliament meets	436
Willcocks and Marcle reported “deserted to the enemy”	436
Sir Gordon Drummond’s speech	437
The government buildings, York	438
Purchase of printing press at Ogdensburg	438
Wilkinson’s attack on mill at Lacolle	439
The action	440
Failure of attack	442
Macdonough at Otter creek	443
Pring proceeds thither with naval force	443
Gallantry of Henry Medcalf	444
Defeat of United States marauders	445
Basden’s attack of fort at Longwood	446
Its failure	446
Drummond recommends attack Sackett’s harbour	447
Prevost refuses to entertain it	447
Oswego	448
Expedition of sir Gordon Drummond	449
Attack of fort Oswego	450
Its success	451
Judge Hagerman	451 ^{n.}
Disaster to British naval detach- ment, Sandy creek	452
Burning of fort Dover by colonel Campbell, 11th U.S. regt.	453
His letter	454
The outrage called an “error of judgment”	454
 CHAPTER II.	
[1814.]	
Major-general Brown	454
Elections in New York	456
United States preparations for the war	457
Drummond’s sagacious views	457
Refused to be entertained by Prevost	457
Prevost’s fatuous memorandum	457
Riall’s difficulties	458
Riall’s character given by Drummond	458 ^{n.}
United States troops cross into Canada	459
Their numbers	460
Surrender of fort Erie	461
Pearson retires on their advance	461
Winfield Scott marches towards Chippewa	462
Street’s creek, now Usher’s creek	462 ^{n.}
Riall leaves his intrenchments at Chippewa	463
Action of Street’s creek, 5th of October	464
Charge of the Royal Scots and the 100th	464
Riall retreats, bringing with him his guns	465
Losses in the action	465
Comparison with charge of light brigade at Balaclava	466
Riall abandons position at Chip- pewa	467
Troops reduced to short rations	467
Drummond’s difficulties in obtain- ing supplies	468
United States troops advance to Queenston	469
Riall at Twenty Mile creek	469
Drummond at Kingston	470
To determine fate of traitors	470
Eight ordered to be hanged on 20th of July	470
Loyal response of militia to sum- mons	471
Brown at Queenston	471
Continuation of pillage	471

PAGE.	CHAPTER III.	PAGE.	
The so-called U.S. "Canadian Battalion"	472	[1814.]	
Burning of Saint David's	473	Ripley at fort Erie	494
Constant "looting" by U.S. troops	473	Attack on Black Rock	494
Drummond's protest at these "wanton outrages"	473	Capture of the "Somers" and "Ohio" by captain Dobbs	495
Disposition of British force	474	Fortification of fort Erie	496
Brown abandons Queenston	475	Ruins of fort Erie	497 ^{n.}
Chauncey declines to operate with him	475	After Lundy's Lane	498
Drummond arrives at York with reinforcements	476	United States unjust criticisms of Drummond	499
Orders attack of Lewiston	476	Brown's injustice to Ripley	499
Drummond arrives at Niagara	477	Assault of fort Erie, 15th August .	500
Advances to Queenston	477	Its failure	501
Winfield Scott ordered to advance against Riall	477	Losses	502
Drummond proceeds towards Lundy's Lane	478	Drummond reinforced	503
Riall's movements	478	Sortie from fort on 17th of Sep- tember	504
Movements of colonel Hercules Scott	479	Its repulse	504
Drummond at Lundy's Lane	480	Losses	505
Strength of both armies	480 ^{n.}	Sickness in Drummond's camp .	506
Battle ground, Lundy's Lane	481 ^{n.}	Change of position	506
Action of Lundy's Lane	482	The "Saint Lawrence" fit for service on lake	507
Winfield Scott's attack	483	Drummond's disposition of troops .	507
Arrival colonel Hercules Scott	484	Drummond's call for reinforce- ments	508
Attack on heights	485	Sails of the British flotilla on lake Ontario seen in state of New York	508
Miller carries position with guns	486	Retirement of United States troops .	509
Guns recovered	486	Demonstration against Lyon's creek	509
Action continued in darkness	487	Prevost asks for another attempt against fort Erie	510
Defeat of the United States troops	488	Drummond's reply, "neither pru- dent nor politic"	510
Character of the battle	488	Michillimackinac reinforced .	511
Most renowned of the war	489	Capture of Prairie-des-Chiens .	512
United States strength and losses	490	Expedition to Michillimackinac .	513
Brown's despatch	490 ^{n.}	Attack of Sault Saint Mary .	514
Ripley retreats to fort Erie	491	John Johnston	515
Drummond without strength to pursue him	491	Plunder of Sault Saint Mary .	516
British casualties, Street's creek, 5th October	492	Attack of Michillimackinac .	517
British casualties, Lundy's Lane, 25th July	493	Its failure	517
		The schooner "Nancy"	518 .

PAGE.	PAGE.		
Capture of "Tigress" and "Scorpion"	519	Throws blame of failure on naval operations	539
Attempt on Prairie-des-Chiens	520	Yeo's views	540
Raid by Kentucky Rifles	520	Court-martial on Pring	540
Great services of sir Gordon Drummond	521	Commodore Macdonough	541
		Macomb's astonishment at the retreat of the British	541
CHAPTER IV.		What Prevost might have accomplished	542
[1814.]		Letters of "Veritas"	542n.
Expedition to Passamaquoddy bay,	523	Downie's letters	543
Attack on Castine	524	Yeo's letter to secretary of admiralty	543
Ascent of the Penobscot	525		
Affair at Bald Head cove	525	CHAPTER V.	
Burning of the "Adams"	526	[1814.]	
Capture of ships	526	Retaliation on Atlantic coast	545
Machias abandoned	527	Cochrane's proclamation	546
Surrender of Washington county,		Monroe's reply	547n.
Maine, to British	528	Baltimore flotilla	547
Lower Canada during the war	528	Ascent of the Patuxent	548
Prevost's peace negotiations	529	Major-general Ross	549
Views of Drummond and Yeo	529	Fort Washington bombarded	550
Colonel Baynes proceeds to Champlain	530	Destruction of commodore Barney's gun-boats	550
Failure of negotiations	531	Advance upon Washington	551
Arrival of reinforcements	531	Burning of public buildings	552
Prevost's general order at Quebec	532n.	Destruction of navy yard	552
The "Confidence" at île-aux-Noix	532	Gale's <i>National Intelligencer</i>	553
Captain Downie, R.N.	533	The attack on Washington an act of retaliation	553
The flotilla hurried into action	533	Surrender of Alexandria	554
Advance of land force	534	Death of sir Peter Parker	555
Plattsburg	534	Attack of Baltimore	556
Prevost's engagement with Downie	535	Death of general Ross	557
The naval action on lake Champlain of the 11th September .	536	Action before Baltimore	557
Dastardly conduct of lieutenant Royat	536	Abandonment of expedition	558
Defeat of British naval force	537	Ascent of river Rappahannock	558
Downie hurried into action by Prevost	538	Fleet at Saint Mary's river	559
The defence made of Prevost's proceedings	538	Ascent of Saint Mary's river	559
Prevost's despatch	539	Inactivity of the fleet	559

PAGE.	CHAPTER VI.
	[1815.]
Attack of the five gun-boats on lake Borgne	562
Their capture	563
Landing of British troops . .	563
Jackson's attack on the British .	564
Failure in the attack	565
Sir Edward Pakenham arrives .	566
Jackson's lines before New Orleans	566
Pakenham digs canal and brings boats to Mississippi	567
Thornton's expedition against fort on opposite bank	567
Pakenham gives orders for the attack	568
The scaling ladders not brought forward	568
Death of Pakenham	568
Lambert in command	568
Thornton's success on eastern bank of river	569
Jackson's able defence	569
Failure in attack on fort Saint Philip	569
Retreat of the British	570
Absurd story of "Booty and Beauty"	570 <i>n.</i>
PAGE.	
Surrender of fort Bowyer, Mobile	571
Conditions of treaty of Ghent .	572
Its negotiations	573
The Hartford convention .	574
Tidings of peace	574
Feeling in the United States .	575
Feeling in Montreal	576
Effect of the war on Canada .	577
Points left untouched by treaty .	578
Last acts of the war	579
Slight knowledge of the war in the mother country	579
The medal of the queen of 1847 .	580
Its limited bestowal considered .	580
Canada left the contest with unblemished honour	581
APPENDIX, No. 1. Bishop Strachan's narrative of the conduct of the war by the United States	586
APPENDIX, No. 2. Synoptical detail of important events of the war chronologically recited	598

MAPS.

1. SKELETON MAP SHEWING DETROIT RIVER AND THE WEST OF LAKE ERIE,
TO ILLUSTRATE THE OPERATIONS OF 1812 AND 1813. p. 188.
2. MAP OF RIVER NIAGARA, FROM LAKE ERIE TO LAKE ONTARIO. p. 212.
3. SKELETON MAP OF NIAGARA PENINSULA, TO ILLUSTRATE CAMPAIGN OF
1813-1814. p. 268.
4. SKELETON MAP EXPLANATORY OF OPÉRATIONS OF WILKINSON[■] AND
HAMPTON, OCTOBER AND NOVEMBER, 1813; AND PREVOST'S ATTACK IN
PLATTSBURG, SEPTEMBER, 1814. p. 362.

BOOK XXVII.

RELATIONS BETWEEN GREAT BRITAIN
AND THE UNITED STATES,

1807-1812.

LOWER CANADA.

GOVERNMENT OF SIR JAMES CRAIG.

1807-1811.

UPPER CANADA.

GOVERNMENT OF MR. FRANCIS GORE.

1806-1811.

THE HISTORY OF CANADA

FROM THE EARLIEST DATE OF FRENCH RULE.

CHAPTER I.

In the last book I related, in the chronological narrative of events, the important incident of the "Leopard" and "Chesapeake," which took place in June, 1807, towards the close of Dunn's administration. It led to great bitterness of feeling towards Great Britain, and has been represented as one of the causes of the declaration of war in 1812. There had, however, been continual dissatisfaction expressed with the commercial policy of the British administration towards neutrals, and an extremely unfriendly spirit had been shewn during the presidency of Jefferson, especially after the rupture of the peace of Amiens of 1803 when war in Europe had been resumed.

In order to obtain a clear understanding of the later complications it is necessary to consider the events of the early years of the century. They exercised an important influence on the policy of the United States, in adding to the hostility against England encouraged by Jefferson and Madison; and if Gallatin be excepted his duties being principally directed to finance, the two represented the whole strength and power of the United States administration.

Hitherto, the important consequences traceable to the French expedition to San Domingo have not received the recognition they may claim; for the failure of Napoleon to obtain indisputable possession of the island, not only changed the character of the policy he designed to carry out on the

American continent, but directly affected his attitude to the European powers. The undertaking was conceived with the design of restoring the old colonial policy of France.* It was to bring back the pre-revolutionary days of commercial activity, and by the employment of a large fleet of mercantile shipping furnish the means of manning the French marine and perfecting his naval strength. In this view, in 1801, he had obtained possession of Louisiana, with no thought of its transfer to the United States. His design was by active colonization to re-establish it as a French province. It was ceded by the treaty with Lucien Buonaparte on the 21st of March, 1801. The engagement of Napoleon was that the prince of Parma, son-in-law of Charles IV. of Spain, should be created king of Tuscany, and placed in possession of the dominions which should warrant his assumption of the title.

In connection with the transfer of Louisiana, France, on the demand of Spain, entered into an engagement through St. Cyr, then minister at Madrid, not to alienate the province; but, on the contrary, to restore the territory to Spain in the event of the newly created king of Tuscany not obtaining the promised kingdom. Talleyrand declared this policy to be in accord with the sentiment of re-obtaining possession of a province which had formerly been French territory, and that it re-asserted this ancient authority. Louisiana had been ceded to Spain in 1762, and Talleyrand gave the most positive declaration that it would never again be alienated from France.

Three synchronous events took place in 1801, which affected the political life of Europe for the succeeding quarter of a century. The resignation of Pitt, followed by the administration of Addington; the inauguration of Jefferson as president of the United States on the 4th of March; and the cession of

* The fact is distinctly stated by Thiers, "son ardente activité . . . s'étendait jusque dans l'Amérique et les Indes pour y rétablir l'ancienne grandeur coloniale de la France," [Vol. IV., p. 163.] Napoleon "plus confiant dans la marine français qu'il le ne fut depuis, tenta de vastes entreprises pour restaurer notre prospérité coloniale." [Consulat et L'Empire, Vol. IV., p. 166.]

Louisiana by Spain to France. The peace of Amiens was signed in London with lord Hawkesbury, better known in history as lord Liverpool, on the 1st of October, 1801. On its conclusion Napoleon perfected his organization to occupy both San Domingo and Louisiana. At that date the United States government had no thought of obtaining any territory west of the Mississippi, not excepting New Orleans. Its hope was limited to adding West Florida to the republic, from the river Iberville, north of New Orleans, following the northern shore of lake Ponchartrain until it reached the coast line of the gulf of Mexico.

In 1801 Madison wrote to Livingston then in Paris, to obtain this territory, with the declaration that if it were granted, the United States would be reconciled to the possession of Louisiana by the French.

The general selected by Napoleon for the operations at San Domingo was general Leclerc, the husband of Pauline Buonaparte. He was summoned to Paris and placed in command of the expedition. It was the first act in the drama conceived by Napoleon of constituting the island as the colonial depot of the mercantile marine and the American rendezvous of the French navy. The occupation of Louisiana was immediately to follow. Had this policy succeeded, it must have affected Canada, with the probability of again making the province the scene of war between Great Britain and France. It is not to be conceived that Napoleon would have contented himself with a narrow limitation of the territory of Louisiana. Peace, it is true, prevailed with Great Britain, but in 1803, when Napoleon felt that peace was no longer advantageous to his interests, he found a cause of quarrel in the occupation of Malta. He would have waited only until circumstances permitted him to direct his operations against Canada. Like Genet and Adet, his minister at Washington would have sent his agents among the French Canadians to awaken nationality of feeling, especially on religious grounds, as public worship had been re-established in France. The long promised fleet would really have ascended the Saint Lawrence if it could

have escaped British attack, and a strong *corps d'armée* would have passed by the Mississippi and the Ohio to reach lake Erie and there embark for the Niagara peninsula. The number of troops he could have sent would have been a serious danger for the Upper Canada militia to meet ; while if his ships safely reached the Saint Lawrence, the imperfect resistance to be looked for on the part of the French Canadian population gave no great hope of its efficacy. That the invasion would have been resisted may be assumed ; but it is impossible to refuse recognition of the great danger to which Canada under such circumstances would have been exposed. The United States, with the antagonism to England of Jefferson, would have looked on the French occupation of the province, if not complacently and willingly, at least silently, and the consent of congress would have been purchased by the possession of Florida. There was a large and influential section of the population opposed to the establishment of French power to the north and west of the republic, but its numbers and weight would not have been sufficiently powerful to prevent the aggression.

The crisis for Canada would have been one of serious magnitude, and in 1801 and for some part of 1802, events bore a threatening aspect which passed away never again to occur.

The project failed owing to the disastrous consequences which attended the San Domingo expedition. The eastern end only of the island had belonged to France, the western portion having been under Spanish authority. Nevertheless, by the statements of the time, the trade between France and the West India isles employed 800 ocean-going vessels with 80,000 seamen. The island previous to the revolution had contained a population of 600,000, half a million of whom were black slaves. The French officials and planters with their families were fewer than 50,000. The war of independence with the United States had affected the mulatto population to the extent that they had claimed equal political rights with the whites, and in this demand they had obtained the

support of the French national assembly. The white population consequently became royalist, and the opposing parties appealed to arms, to desolate the island by civil war. The relaxation of all authority ensued, and led to the general uprising of the negro population. In August, 1791, the terrible massacre of the whites took place, with the atrocities which plunged the island into anarchy.

In 1794 the national assembly of France proclaimed the abolition of slavery in French territory. Shortly afterwards Spain attempted the conquest of the island. During these operations Toussaint Louverture deserted the Spanish service and joined the forces of the French republic. The Spanish were defeated and driven out of the country, and Louverture in 1798 obtained the rank of general. In this year, owing to satisfaction having been refused for the injuries which the commercial interests of the United States had sustained from France, an act of congress suspended all commercial intercourse. Louverture, who had then become the virtual ruler of the island, although Ramme still remained as the representative of French authority, sent an agent to president Adams promising if commercial intercourse were renewed to protect all who might be engaged in it. In accordance with this representation an act of congress legalized the trade, and a consul-general, Steven, was sent to San Domingo. In 1800, Louverture declared the island to be separated from France, assumed the title of governor, and imprisoned Ramme. A few months later Louverture took possession of the western part of the island, ceded by Spain to France in the treaty of Basle in 1795. Claiming complete authority over the whole island, he granted it a constitution, and declared its independence.

I can refer only in a cursory manner to the political complications of the time, my duty limiting me to the main events bearing upon the history I am striving to narrate. Pichon, the French secretary of legation at Washington, remonstrated against any recognition of Louverture. Indeed, the United States never ceased to acknowledge San Domingo

as a French colony, and it was so regarded when Napoleon attempted its re-possession.

Leclerc's expedition sailed from Brest at the end of November, 1801, and arrived at the island in January, 1802. In spite of the resistance he experienced his operations in the field were successful, but his loss in men had been immense and the island remained unconquered. Louverture on his defeat took to the mountains, and the prosecution of the war was reduced to operations the most harassing to the troops engaged. Whatever their success in the field it was ineffectual to obtain the settlement favourable to French pretensions. Finally, Louverture, by a discreditable stratagem, was induced to present himself to the French authorities. He was seized, placed on board a ship of war, and carried to France ; on his arrival to be imprisoned in the fortress of Joux in the Jura mountains. The temperature of the place told so disastrously on his tropical constitution that he died from a pulmonary disease on the 7th of April, 1803.

The news of the death of general Leclerc, who succumbed to fever and the climate, was known in Paris on the 7th of January, 1803. The condition of the island was deplorable. The negroes defied all control ; the plantations had ceased to be cultivated ; regular labour was becoming unknown. The island had relapsed into barbarism ; its commercial value had passed away. Money in immense amounts had been expended on the expedition, and the loss of men had been enormous. It was estimated that no fewer than 50,000 men had been sacrificed in this pitiful war, by losses in action and the terrible fever, including the troops who had been invalidated. A greater expenditure of men and money was still demanded to gain undisputed possession of the island.

That this statement is not an exaggeration is shewn by the despatches of Leclerc. In 1802 he wrote that out of 28,000 men 4,000 only were fit for duty, independently of 5,000 seamen who had been also lost. He asked for reinforcements of 12,000 troops, with six millions of francs in specie.

Leclerc was succeeded by Rochambeau, son of the general

who attacked Cornwallis at Yorktown. He is described as shut up in Port-au-Prince and as being of inferior ability, with the worst of habits. His first demand was for 35,000 men to extricate the French from the painful situation in which they were placed.

It had been Napoleon's design without delay to occupy Louisiana. In September, 1802, he had contemplated embarking 20,000 men fully equipped with artillery. Victor had been placed in command, but the demand for troops for San Domingo made the expedition inexpedient. Laussat, the *préfet* of civil administration, was alone sent out. His instructions were to receive the territory included in the cession from Spain by Berthier's treaty, as extending from Rio Bravo, or Rio de Norte, to the boundary of Canada. The eastern boundary stopped at lake Ponchartrain ; the coast of Florida was not included. At the time there was a strong feeling in the United States against France, owing to Leclerc having seized the supplies at San Domingo, knowing them to be owned by United States traders. Cargoes had been taken without payment, and several of the ship masters imprisoned.

The attention of the United States to the advisability of obtaining possession of the mouths of the Mississippi, owed its origin to the requirements of the new states of Ohio and Kentucky to obtain liberty of commerce by that river. A concession had been obtained from Spain, by which a right of deposit at New Orleans was permitted for the produce descending the river, whence it could be shipped for exportation. This permission had been suddenly revoked, and the importance of its re-establishment was powerfully urged on the government. The remedy which suggested itself to Jefferson was the acquisition by the United States of the port of New Orleans. As the free navigation of the Mississippi had been assured, with its possession no cause for future complications could ensue. In March, 1803, Monroe was sent to France to obtain a transfer of the port to the United States. In case of failure in the negotiations, he was empowered to propose to the British ministry an alliance, so that this end might be gained,

and to enter into an engagement not to make a separate peace with France. The conditions he was authorized to submit were, that the United States should obtain possession of Louisiana, and that on the effectual attainment of that design, extensive commercial privileges would be conceded to Great Britain. Only a short time previously, in 1802, Jefferson had written to Livingston, then United States minister in Paris, advocating similar propositions. It was Jefferson's theory, and doubtless the wish was father to the thought, that England was losing her prestige and must succumb to France, for he wrote,* "Will not the amalgamation of a young and thriving nation continue to that enemy [England] the health and force which are so evidently in the decline."

Monroe's mission received full encouragement in London, and a perfectly good feeling was shewn towards the views he entertained. Addington, then in power, remarked to Rufus King, the minister in London, that if the United States could obtain Louisiana, it would be well; if not, they ought to prevent it going into the hands of France.

The question, however, was not to be decided by United States diplomacy, or by British co-operation. The settlement was to proceed from Napoleon himself. He had been made to understand that the peaceable occupation of San Domingo by conquest was not possible. The extreme losses in men, with the proportionate expenditure of money, had not even conferred the promise of the desired result. The campaign had been a failure, and a failure so deplorable as not unlikely to affect his own reputation and prestige. The few troops remaining on the island were powerless for military operations, while the commercial prosperity of the population had passed away. The means taken by Napoleon to place out of view the unfortunate consequences of the expedition was the renewal of the war with England, and the abandonment of the re-establishment of the ancient colonial greatness to which he had aspired. With this change of policy the requirement for Louisiana no longer presented itself; and by

* 18th April, 1802.

selling the territory to the United States he would obtain the money indispensable to carry on the war on which he was resolved.

The preliminaries of peace had been signed in London on the 1st of October, 1801, by lord Hawkesbury and M. Otto. The definitive treaty on the 27th of March, 1802. On the 25th of December lord Whitworth, ambassador to France, presented his credentials to Napoleon. Andréossy was nominated ambassador to England. Even at this date the rupture had been resolved. Sébastien, who had been sent on an eastern mission, had given in his report complaining that general Stuart's force remained at Alexandria, and that Great Britain was *en demeure* in her engagements. The report was written in an extremely inimical spirit, antagonistic to the maintenance of the lately established peace. It was published in this form on the 30th of January, in the *Moniteur*. On the 18th of February Napoleon invited the British ambassador to the Tuileries. At the interview he declared he would not tolerate the British in possession of Malta, adding that he would prefer seeing them on the heights of Montmartre.*

Two days afterwards, on the 20th, the *corps législatif* met, when the state of affairs of the republic [*compte rendu*] was presented. It comprised an attack on Great Britain, with the remarkable words,† that with a just pride the government declared the inability of England to struggle alone against

* “J'aime mieux vous voir en possession des hauteurs de Montmartre que de Malta.” [The interview is related at length in Thiers’ “Consulat et Empire,” Vol. IV., pp. 296–304.] There is a remark of Napoleon during the interview, which if applied to his true feelings, explains the policy he had predetermined. “Croyez-vous que je m'abuse à l'égard du pouvoir que j'exerce aujourd'hui sur l'opinion de la France et de l'Europe? Non, ce pouvoir n'est pas assez grand pour me permettre impunément une agression non motivée. L'opinion de l'Europe se tournerait à l'instant contre moi, mon ascendant politique sera perdu; et quant à la France j'ai besoin de lui prouver qu'on m'a fait la guerre que je ne l'ai point provoquée pour obtenir d'elle l'élan, l'enthousiasme que je veux exciter contre vous, si vous m'amenez à combattre. Il faut que vous ayez tous les torts et que je n'en aie pas un seul.” [p. 301.]

† “le gouvernement le dit avec un Juste orgueil, seule, l'Angleterre ne saurait lutter contre la France.” p. 306.

France. It is scarcely necessary to add, that such language called forth the most passionate feeling of anger throughout the British isles. With the British public there was a common feeling of indignation at this complacent declaration of France's superiority, and the feeling was universal throughout the kingdom that war had become inevitable. On the 8th of March a message was sent by George III. to the house of commons, setting forth that owing to the military preparations of France, he had judged it necessary to take additional precautions for the safety of the kingdom. The first consul continued to add fuel to the fire. On the 11th of March, on the reception of the diplomatic body at the Tuileries, the historical scene with lord Whitworth took place. On the 16th of May there was a renewal of hostilities, and on the 22nd of the month the 11,000 British subjects then in France were declared prisoners of war.

The current opinion to some extent prevails that by a masterpiece of diplomacy Jefferson obtained possession of Louisiana. The truth is, that this acquisition of territory was really forced upon the United States by Napoleon. When ceasing to revert to the old colonial policy of France, he had rapidly seen that the possession of Louisiana would be an impediment, not an aid, to the other projects that he had conceived. Moreover, having definitely determined on hostilities with Great Britain, means were required to carry on the war ; the sale of Louisiana to the United States would go far to supply the want.

On the 10th of April, Napoleon at Saint Cloud announced to his minister, Marbois, his intention to cede the territory, and he instructed that a communication should be made on the subject to the United States minister, Livingston. The mission was undertaken by Talleyrand. The offer comprised the whole of Louisiana. Livingston replied that what was required by the United States was New Orleans and Florida, with the country above Arkansas, to form a barrier between the French of Louisiana and Canada. Two days later, Monroe arrived. The price demanded was one hundred mil-

lion francs, likewise that the United States should satisfy the claims that power was making against France for the seizure of vessels. Livingston desired to limit the offer to New Orleans, on the ground that the United States did not desire to obtain the territory west of the Mississippi. Finally, on the 2nd of May, the treaty was signed, by which the cession of the whole country was affirmed. Florida was not included, but an attempt was made to introduce a clause that France would support with Spain the claims of the United States to the Floridas. All that could be obtained was a promise that the first consul would use his good offices to effect such a result. The price stipulated was sixty millions of francs, [\$11,250,000] the United States being held to pay the claim made on France by the United States citizens for injuries suffered amounting to \$3,750,000, making a total of fifteen millions of dollars. The sale was protested against by Spain. On the conclusion of the arrangement, Livingston lost no time in advancing the claim that the purchase included Florida, on the ground that the whole of that territory had been comprehended in the cession to France, and that the United States had obtained all the rights so conceded : a fraudulent pretension that entirely failed in its purpose.

The acquisition of Louisiana changed the whole political attitude of the United States towards Great Britain. So long as there was a supposition that no satisfaction could be obtained from France, it was considered that the true policy of the United States was to make overtures to Great Britain for an alliance against France and Spain, by which the Floridas and the mouths of the Mississippi could be secured. Every assistance had been given in London by Addington's administration to further the views entertained at Washington. The friendliness of Great Britain is a recorded fact in United States' histories. There was now no longer the same cause to claim this exercise of amity, and questions of trade arose in which the interests of the United States were involved, to call forth that spirit of hostility to England, rarely absent in the administrations of Jefferson and

Madison. The manning of the vessels engaged in the United States trade claims pre-eminent mention. United States shipping had greatly increased, owing to the recognition of the principle that Spanish and French West Indian colonial produce could be shipped to the United States, there landed, the duty paid, and afterwards be re-shipped to Europe, a drawback of the duty being allowed. From the impetus given to the shipping trade there was difficulty in obtaining seamen to man the ships. The expedient adopted to meet the emergency was the systematic enticement of British seamen to desert from their ships present in United States harbours, by the offer of better pay and more liberal allowances. Although bound by their articles to make the return voyage, hundreds of British seamen abandoned their vessels to join the commercial marine of the United States. There was a further inducement in the hope that service under the United States mercantile flag removed the risk of impressment to serve on board a British man-of-war; a contingency in many instances much dreaded. This desertion of seamen reached great proportions. No aid was given either by the state or by the municipal authorities to assist masters of vessels in any legal appeal. It was admitted that in any parallel difficulty in an English port, United States captains received all the necessary municipal assistance they could legitimately ask. The very opposite was the case in United States ports, desertion received full encouragement, and the men who abandoned their ships immediately obtained fraudulent naturalization papers.

An event had occurred towards the close of the administration of Adams which furnished the republican party, intent on securing the election of Jefferson, an opportunity of inveighing against his government as being guided by culpable subservience to British influence. Thomas Nash, a boatswain on the British frigate "Hermione," who had been a ringleader in a mutiny when murder had been committed, had been identified when bearing the name of Jonathan Robbins, and represented as a native of Danbury in Connecticut. In

accordance with Jay's treaty he was extradited and hanged. Jefferson's party represented this legitimate proceeding as a national wrong. Robbins, in spite of the clearest evidence to the contrary, was everywhere represented to have been a United States citizen basely sacrificed to British vindictiveness. A constant appeal to popular prejudice took the form of portraying this ruffian hanging, the deserved fate of a murderer, as an innocent sufferer through the imbecility of the administration. Virginia, the stronghold of inimical feeling to Great Britain, which was kept in activity, passed a law forbidding under heavy punishment a magistrate to be instrumental in extraditing any person out of the state. Thus desertions from British ships in a Virginian port became a regular event. Captains of British vessels sailing to United States ports in no long time would meet their men strolling in the streets, furnished with naturalization papers, who set them at defiance, for their arrest was impossible. This passage of history tells unfavourably on the character of the treatment of British seamen both on merchant vessels and on men-of-war. They were the days when scarcely any thought was given to the comfort and well-being of those of humbler condition. The discipline was harsh and oppressive, one of pure repression. The consideration for others, enforced by benevolence and duty, was often regarded as weakness. There were, however, instances of captains whose vessels were models of naval completeness, which included the good-will and content of the crew, owing to the humanity and wisdom of their rule. It is to be feared such vessels were rare exceptions. The merchant service in this emergency had in its own hands control of the situation. If shipowners had had the sense to see where their interest lay, they would have given to the crews generous treatment in the matter of pay, allowances and the regulations afloat, so that the United States service would have been unable to offer inducement to desertion.

While the several state governments both actively and passively assisted this system, by which the United States

commercial marine was to a great extent being manned by foreign deserters, the central government had not the power, and certainly not the inclination, to intervene. Jefferson's theory was that the United States were safe from interference from Great Britain owing to the magnitude of the export trade of her manufactures ; a department of commerce that appealed to the interests of so large and influential a party as to make all hostile action against the United States impossible, whatever the provocation offered. There was one point, however, that he recognized to be beyond his control : the right of impressment claimed by Great Britain, and the right of search for British seamen enforced upon the high seas on vessels under the United States flag. It was felt that the very safety of Great Britain depended upon the power of her navy, and, as a principle of law, it was even recognized abstractly in the United States, that a state had the right to call upon the services of her own subjects. To meet such a claim every deserter on United States vessels was provided with naturalization papers, as a rule fraudulent and granted without any just claim. On the other hand, British jurists declared, that even when such papers were regular and legal, they were not valid, as no one could free himself from the allegiance he owed to his country.

Addington's administration extended from 1801 to 1804, when Pitt regained office; for most of this period the brief peace of Amiens had prevailed. The consequence was, that the neutral vessel, as such, for a time disappeared, and the shipping interest of the United States declined. Nevertheless, the encouragement given to the desertion of British seamen continued, as the British minister pointed out, as if systematically practised to hinder British shipping sailing into a United States port in competition with the United States marine. To the British minister's remonstrances Madison, as secretary of state, gave the explanation so often heard from the United States executive, that the federal government had no part in the municipal, or state proceedings, of which complaint was made. Thornton, the British minister, adduced the law of

Virginia, the state of Jefferson and Madison, which set at defiance the treaty rights that the United States were bound to observe. Nothing could be done by expostulation ; on the contrary, the national government shewed its sympathy with this desertion, by incorporating into the United States navy every deserter who offered to serve.

Those who dispassionately study Jefferson's career can form no other view, than that he had but one principle to guide him : his own interest. There was one point, however, in which he was sincere ; his spirit of democracy, according to which he desired to see blended together the whole community, without distinction of circumstances, talents or position. He had no sympathy with the courtesies, or even the decencies of life. His affectation of republican simplicity took the form of receiving accredited officials of rank, in greasy breeches and a dirty shirt, himself unshaven, his feet in slippers. The hospitalities of his own table, extended officially, were used to shew his sentiment for good or evil towards a national representative he was receiving. We may trace much of the inconsistency of his political conduct, to the feeling of the necessity of entering into an alliance with Great Britain against France, being in conflict with his true sentiment. On one hand, he experienced the adverse influence of Napoleon in the desire to possess New Orleans and subsequently West Florida, in connection with the arbitrary policy directed against the United States by the commercial regulations of France ; on the other hand was his desire of ranging himself against England on the side of France, the dominant sentiment throughout his career.

In 1802, when difficulties presented themselves relative to the acquisition of Louisiana, Jefferson represented to the British minister that they would furnish cause of certain war, and that if the United States should be found unable to expel the French from Louisiana, they must have recourse to the aid of a foreign power, designating Great Britain, if not in precise words. On notice being given at the end of the year of the termination of the arrangement of the *entrepôt* at

New Orleans, by which produce descending the Mississippi could be landed at New Orleans and re-shipped, Thornton, the British minister, was taken into the confidence of Jefferson. From these conversations he inferred that owing to the hostile conduct of France, a change in public sentiment in the United States was taking place. It was at this date Monroe was appointed to proceed to Paris and to Spain to obtain possession of the seaport of New Orleans. Thornton, from the friendly feeling Jefferson was shewing, gave Monroe a letter of introduction to lord Whitworth, the British ambassador at Paris, and wrote to lord Hawkesbury representing that the interest of Great Britain lay in advancing the diplomatic efforts of the United States with France, which Monroe had been sent to advocate.

When war again broke out between France and England in 1803, the general feeling in the United States was that their interests would be advanced by the war, and that there was no further occasion for conciliating Great Britain. On the 3rd of July the news reached the United States that on the 30th of April Louisiana had been ceded, and that war with Great Britain had been proclaimed on the 16th of May. At the same date Rufus King, the minister in London, returned with two conventions entered into with the British government, by which the sum of £600,000 sterling was accepted in full of the payments due British creditors in accordance with Jay's treaty; the second being for the establishment of the boundaries between Maine and Nova Scotia, likewise for defining the line between the head waters of the Mississippi and the Lake of the Woods.

There was no longer reason for wasting courtesies upon the British minister. The possession of Louisiana had been literally forced upon the United States government, and the question of the possession of the Floridas had not arisen. The British minister had been recalled and a new one had been appointed, Mr. Merry. The change furnished an opportunity to Jefferson to depart from the lines of cordiality he had lately followed. As he had resolved to take high ground

regarding the neutral rights of United States shipping, it was well to begin his new system with the arrival of the new minister and let him at once understand the political consideration he might expect to receive. The British minister was received with positive incivility by Jefferson, dressed as a sloven and in slippers.* Jefferson in his official dinners disregarded the ordinary courtesies of life. The guests were left to shift for themselves, to find places as they were able. Such conduct, in Jefferson's nomenclature, was republican simplicity. On one occasion Merry had himself to take his own wife in to dinner. The rudeness at the White House became so marked that the invitations of Jefferson were refused by the wives of the British and Spanish ministers. In one instance both ministers were asked without their wives. Each of them replied that he could not attend, until he had received instructions from his government.

It is no strained opinion that the disregard of courtesy was designed as an indication of political feeling. Spain had protested against the acquisition of Louisiana, and, in the matter of Great Britain, Madison had intimated in "temperate and conciliatory language" the determination to obtain greater respect for the United States as a neutral power. The senate, likewise, had refused to ratify the stipulation of the fifth article of the boundary convention entered into by Rufus King, as it applied to the Lake of the Woods and the Mississippi, on the ground that the proceedings

* Mr. Henry Adams in his history, Vol. II., p. 366, thus describes Jefferson. quoting the life of senator William Plumer: "In a few moments after our arrival a tall, high-boned man came into the room. He was dressed, or rather undressed, in an old brown coat, red waistcoat, old corduroy small clothes much soiled, woollen hose and slippers without heels. I thought him a servant, when general Varnum surprised me by announcing that it was the president." Mr. Adams also copies his description from the "*Evening Post*," about a year previous to Merry's arrival. Mr. Jefferson was "dressed in long boots, turned down about the ankles like a Virginia buck; overalls of corduroy, faded by frequent immersions in soap suds from yellow to a dull white; a red single-breasted waistcoat; a light brown coat with brass buttons, both coat and waistcoat quite threadbare; linen very considerably soiled, hair uncombed and beard unshaven."

might cause embarrassment with regard to the lately obtained territory.

The eastern boundary of Louisiana as ceded by France was clearly established as following the Iberville to the north shore of lake Ponchartrain, excluding West Florida. Nevertheless, Randolph, in the house, on the 24th of October, claimed the territory watered by the streams falling into the gulf of Mexico, the Appalachiola excepted: a pretension encouraged by Jefferson and Madison, although known to be at variance with truth and right. Application was made for information on this point to Laussat, the French commissioner sent by Napoleon to Louisiana before the transfer. He declared that his power extended no further than the Iberville. The date named for the transfer was the 20th of December, 1803, at which time the Spanish governor transferred the territory to Laussat, who gave it over to the United States representative. No demand at the time was made for West Florida.

The absence of such application was the more remarkable that on the 30th of November Randolph introduced the bill called the "Mobile act," to give effect to United States laws in the territory of Florida. It passed the senate, and received the president's signature on the 24th of February, 1804.

Monroe, who had been appointed minister to England to succeed Rufus King, arrived in London in July, 1803. Pitt returned to power in May, 1804, when lord Harrowby became foreign minister. The accounts received from the new minister of the claims which had been advanced at Washington for the abandonment of impressment and the right of search, and for non-interference with the profitable trade of the United States as a neutral, which included the services of a large number of British seamen, did not obtain a cordial reception from the new foreign secretary. Lord Harrowby also objected to the rejection by the senate of a treaty deliberately concluded. The article of Jay's treaty establishing the trade relations between the United States had expired,

and Harrowby proposed its renewal for ten years. Nothing could be done, for Monroe desired to include the consideration of impressment, and the recognition of neutral rights as defined by himself, consequently further negotiation was declined by the British foreign secretary. Harrowby wrote to Merry, that Madison's pretension that the United States flag should protect every individual sailing under it in a merchant ship, was too extravagant to call for serious refutation.

In one of his letters to Jefferson, Gallatin made the statement that after 1803 the increase of United States shipping annually had been 70,000 tons, an increase that had called for 42,000 seamen additional to man the ships. Of this number it was estimated that 2,500 were British seamen, mostly deserters from merchant ships. It was under these circumstances that it was determined by the British ministry that the right of impressment should be enforced. Instructions, however, were given that lenity should be shewn in visiting ships in the high seas, and that no impressment should be attempted in any United States port. The right had been enforced for centuries, and it was not to be expected that in the exacting position in which Great Britain was placed, it would be renounced in favour of the seamen who had been seduced from her service.

In 1805 Jefferson was re-elected on his second term. Monroe's mission to obtain the cession of the Floridas having failed, Jefferson added to the irritation felt against Spain by acting as if war would be declared against her. Jefferson had no such design, although he never ceased to hope that the acquisition of Florida would be effected under his rule. His exasperation was equally strong against Great Britain, as two frigates, the "Cambrian" and the "Leander," cruised in the Atlantic to intercept vessels leaving New York, to visit them for the impressment of British seamen.

The claim to the possession of Florida, so ostentatiously put forth as included in the purchase of Louisiana, was now abandoned, although it had been sustained by direct affirmatory legislation. It was resolved to enter into negotiation to

obtain the territory, and after some opposition a vote of two million dollars was obtained by which the purchase could be effected.

The problem of the policy to be adopted towards Great Britain was not of such easy solution. The battle of Trafalgar was fought on the 21st of October, 1805, when the destruction of the French and Spanish navies had constituted Great Britain mistress of the ocean. When war was spoken of in resistance to British pretensions, a general feeling arose that it portended the destruction of American commerce. There was, however, a knot of politicians who expressed the view that Nova Scotia and Canada could, as a matter of course, be easily overrun. When in 1805, Turreau the French minister having remarked that the spirit of aggrandizement was only directed to Florida, asked why the important accessions of Nova Scotia and of Canada were not attempted, Madison replied that the moment had not come, and that when the pear was ripe it would fall of itself. The pear still hangs upon the tree in spite of Mr. Madison's predictions and his attempt to shake it down. One Crowninshield in the house of representatives declared himself quite ready to meet England in war, but he considered the trade with the United States was too valuable to be risked by England in such a contest. Canada and Nova Scotia could of course be taken by the militia of Massachusetts and Vermont, without any other assistance. What he recommended was a war of tariffs and the confiscation of British property. His theories of repudiation were simple. British subjects owned sixteen millions of the public debt, and eight millions of the stock negotiated by the Barings for the purchase of Louisiana. British capitalists held four millions of United States bank stock, and the private debts due by individuals to Great Britain amounted to between ten and twelve millions. The proposition was to sequester the whole amount, to prohibit also the importation of a long list of articles, and by these means to bring a pressure upon Great Britain.

The non-importation resolutions became law. They were

to come into operation on the 15th of November, 1806. They met with strong opposition. Randolph described the measure as a dose of chicken broth to be taken nine months hence . . . too contemptible to be the object of consideration, or to excite the feelings of the pettiest state in Europe.*

An incident occurred in April, 1806, which for a few months awoke more than the usual bitterness of feeling against Great Britain. One of the frigates cruising to intercept the vessels leaving New York the "Leander" fired a gun across the bows of a merchant vessel to bring her to. A coasting sloop at some distance was unfortunately in line of the shot, and one John Pearce, the brother of the captain, was killed. The body was brought to New York and the incident led to the exhibition of great excitement. The funeral was public, and was made the cause of tumultuous demonstration. Meetings were held denouncing the administration for permitting impressments to be enforced; a political piece of clap-trap. Captain Whitby, of the "Leander," was indicted by the grand jury for murder. Some British officers on shore had to hide themselves to escape murder by the enraged populace. The mob prevented the necessary supplies being conveyed to the squadron. Thus this unfortunate accident of the character described was stigmatized as a murder, which the opponents of the administration, to create embarrassment, called upon the president to avenge.

If Jefferson's claim to statesmanship is to be judged by his conduct on this occasion, it must rest on slender foundation. In place of dealing with the matter as a national wrong and asking redress from the British government, he committed

* Mr. Henry Adams [Vol. III., p. 175] thus comments on this passage : "Every man on the floor felt that Randolph was right, and every foreign minister at Washington adopted his tone." I take this opportunity of acknowledging many obligations to Mr. Adams. His laboriously collected information ; much of it, for the first time made generally known, presents a valuable narrative of the period of United States history comprised in his work : the presidential rule of Jefferson and Madison. He must permit me to add, whatever respect I may entertain for his ability, I am unable on all occasions to accept his opinions, or to admit the justice of his somewhat redundant epithets.

the capital blunder of taking the matter into his own hands. On the 3rd of May he issued a proclamation, in which he took the extraordinary course of excluding the British frigates and their commanders from the ports of the United States, and ordered all federal officers to arrest captain Whitby when found under their jurisdiction.

Pitt had died on the 23rd of January, 1806, when the ministry of lord Grenville was formed ; it is known in British history under the title of "all the talents." Fox died on the 13th of September, 1806. Grenville and his colleagues never obtained either the confidence or the support of George III. When occasion offered, he placed them in a position in which they had no alternative but to resign. The decision having been formed for the continuance of the war with all the strength that the nation could put forth, the cabinet decided to introduce a clause in the military act enabling the king to confer commissions of all grades, without distinction of religion. The object was the admission of Roman catholics to the higher ranks. The king, in the first instance, gave his assent, which subsequently he withdrew. The ministry agreed to acquiesce in this refusal. But this compliance did not satisfy the king ; he demanded a written declaration that they would propose no similar concessions to the catholics. This assurance the ministry declined to give ; a rupture which exacted their resignation. The duke of Portland's ministry was formed in March, 1807.

The fact of Fox being in office did much to quiet public feeling in the United States. His whole career appealed to friendliness of sentiment. In the early stages of the revolutionary war he had advocated the cause of the revolted colonists ; he had justified their dissatisfaction, and had been a powerful advocate of the peace which had secured their independence. Moreover, the true cause of Pearce's death began to be understood. It was recognized that the accident had been purposely misrepresented in the interests of the seaport of New York, and for the advancement of commercial enterprise. There was no feeling of discontent with

the agricultural population. The people of the country districts were prosperous as they had never before been. The national revenue was increasing ; taxes were light ; and outside of the chief seaport towns no cause for war presented itself ; while those who advocated it were considered as being principally desirous of enriching manufacturers and ship-owners. There was likewise with this class the sentiment that Fox having taken the place of Pitt, full justice would be rendered to any just demands made by the country.

But the rulers of Great Britain had more serious duties to consider than the settlement of this difficulty with the United States, even when regarded in connection with the important and serious complications it involved. They had to assume the safety of the state to be so dangerously threatened, that the very existence of Great Britain as a nation was in peril. United States writers in dealing with the events of this period place out of prominence this important fact of history. Events are related as if the regulations enforced were directed against the United States, solely for the purpose of attacking their commerce and impeding their prosperity. The course followed by Great Britain in these trying years was dictated by self-preservation, called forth by the events that had hurried forward with such gigantic strides.

In May and June, 1804, Napoleon had been declared emperor, in December he had been crowned. The capitulation of Mack at Ulm took place on the 17th of October. Trafalgar was fought on the 21st. The battle of Austerlitz had been won by Napoleon on the 2nd of November. The treaty of Presburg followed on the 26th of January. In 1806 the battles of Jena and Auerstadt took place on the 14th of October ; on the 27th, Napoleon entered Berlin. On the 25th of November the Berlin decrees were issued, and were published in the *Moniteur* of the 5th of December. They were to the effect :

1. The British isles were in a state of blockade.
2. Intercourse with them was prohibited.

3. Every British subject within French authority to be held as prisoner of war.
4. All British property, private and public, declared prizes of war.
5. Merchandise from England declared the prize of war.
6. Half product of the confiscations to be applied to indemnify merchants for the property captured by British cruisers.
7. No British ships to be admitted into any port of France, or her allies.
8. Every vessel eluding this rule to be confiscated.

Thus, the attempt was made to close the continent against British commerce. The British isles were to be excluded from communication with Europe; and the struggle of the following years involved the pregnant consideration, whether or not the national existence of Great Britain should be preserved. United States writers refuse recognition of this great fact, and describe her policy as directed by jealousy of the growing importance of the republic, and dread of the formidable opposition threatened by its increasing commerce. No page of English history furnishes ground for this belief. The unfriendly policy of Jefferson was regarded as conceived to the advantage of France. It was indeed the popular belief of a large number of his countrymen that his sympathies lay in that direction. Even the most liberal of British statesmen felt the true character of the contest. Prominent in the number was Fox. Shortly after he assumed office, he received an offer from a Frenchman to assassinate Napoleon. Fox immediately communicated the proposition to the emperor. The consequence was, some informal negotiations for peace. Fox soon became impressed with the fact that all such effort was futile; for the acceptance of Napoleon's conditions would have involved the ruin of England. Feeling that the continuance of war was inevitable, nearly his last words were, that war must be vigorously and firmly prosecuted. Sir Walter Scott has referred to this patriotic sentiment in the

introduction to the first canto of *Marmion*: lines which claim special attention as they obtained the approval of and are quoted by sir George Cornwall Lewis :—

“ If ever from an English heart,
 Oh, here let prejudice depart,
And, partial feeling cast aside,
Record, that Fox a Briton died !
When Europe crouched to France’s yoke,
 And Austria bent, and Prussia broke,*
And the firm Russian’s purpose brave
Was bartered by a timorous slave,†
Even then, dishonour’s peace he spurned,
Her sullied olive-branch returned,
Stood for his country’s glory fast,
And nailed her colours to the mast.”

* An allusion to the battle of Jena ; an anachronism, for it was fought after Fox’s death.

† D’Oubril, whose treaty, signed at Paris, was repudiated by the emperor Alexander.

CHAPTER II.

There were circumstances which interfered with the cordial reception of Monroe personally in London society. It was remembered that he had been on intimate relations with the French directory, and was not free from identification with their policy of enmity to England. On the advent of Fox to power, his position became more satisfactory; even in their first interview he formed hopes that the stringency of the regulations affecting neutrals would be modified. In April, Fox announced his readiness to enter into negotiations with the United States. Independently of the restraints imposed upon the commerce of the United States as a neutral power, complaint of which was made, Fox was hampered by the non-importation act lately passed, by the excited debates in congress which had followed, by the resolutions voted at public meetings, and by the excesses of the New York mob, which had prevented the delivery of supplies to the fleet and had been permitted by the authorities; above all, by the proclamation of the president. These proceedings were construed as a direct threat; the last argument to prevail in any dispute with Great Britain. They were met by an almost universal outcry in the press, that the United States people were mistaken if they believed that war would be unpopular in England; and they were told that they would do well not to be so ready to assume an offensive attitude in any matter of diplomatic intercourse.

In 1806 the neutral powers were notified that Great Britain had declared the blockade of the coast from Brest to the Elbe, but that it would only be strictly enforced between Ostend and the mouth of the Seine; and that, except within this limit, vessels would only be liable to seizure under the general law by which seizure was enforced. This measure is

more worthy of attention as it formed one of the grounds of wrong which Madison adduced in the declaration of war in 1812.

Towards the end of June Pinkney arrived in London to assist Monroe in the negotiation of the treaty. He brought with him special instructions for their guidance ; instructions known equally to Jefferson and Madison, that would make a treaty impossible. Impressionment was to be entirely renounced, or the non-importation act would be enforced ; trade with the colonies of the powers at war with Great Britain should be permitted ; and indemnity be paid for the captures which had been made at sea. These demands were set forth as established, and their recognition as indispensable to any settlement of the dispute. Latitude was allowed on minor points, but no concession was to be granted to Great Britain without a corresponding advantage being given to the United States.

The senate had forced Jefferson to the consideration of this treaty. On principle, he objected to all treaties. They fettered his wavering views, and controlled his ability fairly or unfairly to profit by any passing event that he could apply to his purpose. He desired his spirit of intrigue to be freed from restraint, so that his policy could be guided as circumstances dictated. Such a treaty, moreover, would embarrass him with France, which commanded his sympathies in the struggle. He still hoped to obtain the Floridas from Spain, through the intervention of Napoleon. He had, at this date, abandoned the claim of right to Florida as included in the purchase of Louisiana, so ostentatiously paraded. Further, he had no desire by a diplomatic success to bring Monroe into prominence, to injure Madison's chances of election, who Jefferson desired should succeed him as president.

Although Monroe had been appointed to negotiate a treaty on conditions known to be inadmissible, Jefferson wrote to him, dwelling on the common ground of interest and friendship that the two countries possessed. The insincerity of this pretension is manifested by Jefferson's proceedings. At the

same time he laid down the extraordinary doctrine that the United States would permit no cruisers in the gulf stream. The absurd character of this pretension is the more manifest when it is remembered, that six months previously, Nelson at Trafalgar had swept the French and Spanish navies from the seas.

The illness of Fox prevented the continuance of the negotiation ; lord Holland and lord Auckland were appointed in his place. If any treaty was to be made, Monroe early saw, that it was impossible to persevere in his demand regarding impressment. In November Monroe wrote to his government, that the commissioners had resolved not to follow their instructions on this point, but to accept a memorandum pledging the government to exercise the greatest care not to impress United States citizens, and in case of wrong while enforcing impressment, to give immediate redress. From the mode in which the negotiation was being conducted, Monroe judged that there was every chance of concluding an amicable arrangement ; and he himself understood that the very national life of Great Britain depended on the pre-eminence and strength of her navy.

Some United States writers express their indignation at the efforts made by Great Britain to control the commerce carried on by neutrals, and as far as possible to prevent the property of the enemy being protected by a neutral flag. The right of Great Britain of legislating to protect her own commerce according to international law cannot be denied. Monroe's treaty was to last for ten years. Impressment obtained no mention, but it was agreed that no United States vessel should be visited within five miles of the coast. It was subsequently urged by Jefferson's supporters that the clause recognized the right of impressment.

The trade between Great Britain and the United States was established on conditions of full reciprocity. The trade to the British East Indian possessions was limited to a voyage thither direct, with a return to the port which the vessel had left.

The principle, on which the carrying trade was established, was the recognition of the right of United States vessels to transport to a colony of the belligerent, not blockaded, European goods not contraband of war; conditionally that such was the property of United States citizens, having paid one per cent. duty above the drawback allowed on exportation. Likewise, the produce of colonies of a belligerent landed in the States, similarly having paid two per cent. duty, might be exported to any part of Europe.

The policy of Great Britain, independently of acting in accord with the operations of war, was to obtain as far as possible protection for her own commerce and shipping. From the point of view of British statesmen, the conditions entered into were dictated in a spirit of amity to the United States. Nevertheless, there are writers who have described them as unnecessarily exacting, and insulting, setting out of view the danger of the position of Great Britain, without an ally in Europe in 1806, with the government of the United States, from the influence of Jefferson, acting in the most unfriendly spirit. The point to be particularly observed was that the cargo was veritably the property of United States citizens, and that the flag was not used to protect the property of the enemy. What was the most galling to Jefferson was the clause that placed the non-importation act in abeyance; that for ten years there should be no attempt to discriminate against British manufactures.

No arrangement was made for trade relations with the British West Indies, or with Nova Scotia, New Brunswick and Canada.

At the time of the signature of the treaty, news of the Berlin decrees arrived in London. Thereupon, the British negotiators notified the United States commissioners, that unless before ratification the United States government would give assurance that the country would not be bound by them, the king would not consider himself held by the signature of his representatives. This fact may be adduced to shew that the British government considered that every

effort had been made to conciliate the United States, and no particular advantage had been gained for Great Britain.

The treaty reached Washington in March, 1807, the last day of the session. On its receipt, the British minister, Erskine, immediately placed it in the hands of Madison for submission to the president, with the hope that he would detain the senate for its consideration ; or, if this course were not taken, he would inform the members when he would convene them. Jefferson, sustained by Madison, had already determined on the course he would take. Neither had ever desired a treaty, and they had purposely fettered their representatives with instructions which made any treaty an impossibility. Now that it had been entered into and signed, Jefferson resolved to avail himself of the power given him by the constitution, and refuse to ratify it. The insult of its non-reference to the senate and house of representatives was deeply felt. The more so that the president would give no information regarding it. No such autocratic proceeding could have happened in the British system. Jefferson met the dilemma by writing fresh instructions to Monroe, stating that the treaty was unacceptable, and requesting him to recommence negotiations, well knowing that the demand would not be listened to.

A measure of retaliation of the Berlin decrees was further taken by the British government ; the issue of an order-in-council, refusing to neutrals the right of trading from one hostile port to another such port : a proceeding justified by the British authorities on the principle, that neutrals had no right in time of war to a trade not possessed by them in peace. Jefferson no doubt saw that any treaty with Great Britain would place the United States in no friendly position with France, in view of the claims to universal dominion which Napoleon was advancing. It clashed with the sympathies he entertained, and would go far to destroy the hope he had formed of compassing the possession of the Floridas by French influence. In the public mind generally, France appealed in no way to popular republican feeling. Napoleon

himself could no longer be regarded as the champion of free institutions, or as the representative of democratic principles. He was now an emperor; he had created an aristocracy around his throne; and his military power had been directed to the destruction of all nationalities that he could not make subservient to France. He had shewn little consideration for the United States; he had arbitrarily seized their vessels on the ground of having British merchandise on board; and had acted with continual hostility to their commercial marine, at a time when he was without a navy to aid in protecting United States commerce, if the country embraced his side. Jefferson's flimsy objections that he would not even indirectly recognize a principle, which exposed the sea-faring population to arrest by the naval officers of a foreign power, was addressed to popular prejudice. Monroe denied that there was any such recognition, direct or implied. He correctly contended that the understanding entered into was in no way a bar to future discussion; and the only justification for non-ratification would be an appeal to arms. Such was in no way Jefferson's view. He suggested that an informal understanding could be entered into without a treaty, leaving him uncontrolled by any condition, to act as he judged expedient, in view of his interest alone.

It was at this time the painful incident took place to which I have previously alluded, the attack on the United States frigate "Chesapeake" by the "Leopard," when four deserters were taken from her by force.* This high-handed act was the result of the order of admiral Berkeley, in command of the squadron in Halifax. However much politically to be condemned, the provocation which led to it cannot be set out of view. Many petty incidents, each insignificant, may create a serious extent of bad feeling, and the systematic unfriendliness of Jefferson's government, which refused to consider the continual desertions from merchant ships and ships of war, could not be entertained on one side only. I have related Jefferson's proclamation, which forbade ships of war to enter the harbours of the

* [Ante, VII., p. 508, 21st June, 1807.]

United States. An incident had taken place in March which had caused great irritation. The "Halifax" sloop, commanded by lord Townshend, was lying in Hampton roads. One of her boats and five men, with a petty officer, had been sent on some duty. When at a safe distance, they rose upon their officer, and threatened to throw him overboard. This purpose they did not carry out; but they rowed to shore and landed at Sewell's point, Norfolk. Proceeding direct to the rendezvous for seamen, they there enlisted, joining the "Chesapeake." On a formal demand being made for the men to be given up, the municipal authorities refused to interfere, and the recruiting officer, one lieutenant Sinclair, declared himself incapable of acting without authority from his superiors. A few days afterwards, as the deserters were parading the streets of Norfolk under the United States flag, one of them named Saunders was spoken to by lord Townshend. The man asserted that he had no intention of deserting, but had been forced to do so by his shipmates, and that he would take the first opportunity of returning; whereupon Jenkin Ratford,* one of the men taken from the "Chesapeake," took Saunders by the arm, and declared that neither he nor any other should return to the "Halifax," and with an offensive gesture to lord Townshend, sharply telling him that they were in the land of liberty, dragged Saunders away.

What made difficulties of this character more irritating was, that British municipal assistance had been constantly rendered to United States vessels in similar straits, especially at Gibraltar. It is not possible to deny that commodore Barron was cognizant of the presence of these four men on the "Chesapeake,"† for it was one of the findings of the court-martial.

The responsibility that such an order was given falls directly on admiral George Cranfield Berkeley, son of the earl

* *Norfolk Ledger*, 24th June, 1807: Court-martial for the trial of John Wilson, alias Jenkin Ratford, 23rd August, 1807.

† That commodore Barron had full knowledge of the facts that such men were on board his Ship; that they had been demanded by the British Government and had not been delivered up, the Court was perfectly satisfied.

of Berkeley. He had seen much service; having entered the navy in 1766, in his thirteenth year; he had therefore been at sea forty years. It is due to Berkeley to say, that in his day there was a very strong party in England who considered that in claiming these deserters under the circumstances named, he was acting according to recognized law and precedent. In modern times the proceeding would be held to be entirely at variance with international law. Although in the interest of peace, and from the circumstance that the British government disowned the extreme step, and Berkeley was recalled, he was not in any way censured, nor did he cease to be actively employed. In 1808 he was appointed to the chief naval command at the Tagus, an appointment he held until 1814, in which year he became a G.C.B. He died in 1818.

Captain Humphrey's orders were so strict that he had no course but to obey them; he, however, acted in his difficult duty with discretion, and in no hectoring spirit. The accounts of the event differ, but suggest that Barron was taken by surprise. Barron replied to Humphrey's demand, that his orders were peremptory not to suffer his crew to be mustered, and that there were no deserters in his vessel. After the "Chesapeake" struck, Barron offered to deliver her up as a prize. Humphrey answered that he had executed the orders of his commander, and had nothing more to do. Four deserters were brought as prisoners to the "Leopard," two were killed by her fire, one jumped overboard. The gunner of the "Chichester," who had deserted and was acting on the "Chesapeake" in the same capacity, was killed. Among the prisoners was Jenkin Ratford, the seaman who had insulted lord Townshend at Norfolk. He had shipped under the name of John Wilson. Tried by a court-martial at Halifax on August the 25th, he was sentenced to death, and hanged.

On the news of the event becoming known, intense excitement arose, and Jefferson issued a proclamation requiring all armed British vessels to depart from the harbours of the United States. He sent a message to congress on the subject, and the attack of the "Leopard" was voted a flagrant

violation of the jurisdiction of the United States, and, amid a loud outcry of indignation, the proposition was made immediately to take possession of Nova Scotia and Canada.

When the fact was known in England, Canning wrote a private note to Monroe, announcing that a "transaction" had taken place off the coast of the United States, the facts of which he was not able to state, and that he was anxious to receive them from Mr. Monroe. He expressed sincere sorrow for the event, and gave the assurance that, if the British officers should prove culpable, prompt and effectual reparation would be offered. It was known at an early date that the order had not proceeded from London. Official letters were exchanged, but as the facts were not authoritatively given, Canning generally confined himself to expressing his readiness to make reparation, if it should prove to be due. Public opinion, however, to a great extent took the side of Berkeley, and recognized the right to search in ships of war, for seamen, who had been inveigled to desert in order to enlist in the United States service.

Monroe's instructions finally arrived. In September he had an interview with Canning, and formulated the demands of the president. The men taken from the "Chesapeake" should be restored, the offender punished, a special mission sent to the United States to announce the reparation, and all impressment from merchant vessels should cease. Canning made no objections to the points urged in the matter of the "Chesapeake," but declined positively to admit any discussion as to impressment.

In the official correspondence which followed, Monroe, hampered by the president's instructions, persevered in this demand on the ground that as the attack upon the "Chesapeake" sprang from the claim, it ought to be included in his argument, and he took the ground that its adjustment was indispensable in the reparation that was sought. The introduction of this request literally placed Monroe in the correspondence at Canning's mercy, an opportunity not to be lost by so able and practised a writer. In his reply, he asked to be

informed whether the proclamation of the president was authentic, and if it would be withdrawn on the disavowal of the act which had led to it. The nationality of the men seized must also be considered, not in justification of their seizure, but in the estimate of the redress asked. The question of impressment, he contended, could not be argued in connection with the special difficulty of the "Chesapeake." He expressed his willingness, however, to consider the mode of regulating the practice, which, as an acknowledged right, had existed for centuries previous to the existence of the United States as a nation. If Monroe's instructions left him no discretion, it was useless pursuing a discussion that he was not authorized to conclude. In that case, a special minister would be sent to the United States; but he would not be empowered to entertain in connection with the subject any proposition respecting the search of merchant vessels.

On the rejection of the treaty by Jefferson, it had been made the subject of a letter from Monroe to Canning. Until the correspondence arose out of the "Chesapeake" matter, Canning had declined to consider any further applications on the subject. He now replied, protesting against a practice "unusual in the political transactions of states," by which the United States government assumed the privilege of revising and altering a treaty, concluded and signed by its authorized agents. Although he was ready to listen to any amicable proposal for the adjustment of the interests of the two countries, the proposal to negotiate anew upon the basis of the previous treaty, which had been solemnly concluded and signed, was inadmissible.

A proclamation followed on the 10th of October. It set forth that great numbers of British seamen had been enticed to enter the service of foreign states, on ships of war and merchant vessels. They were commanded to return to their allegiance. Naval officers were ordered to seize them from merchant vessels without unnecessary violence, and to demand them from captains of the foreign ships, so as to furnish evidence in any claim for redress. Warning was given that

naturalization would not be regarded as relieving British subjects from their duties. All who returned to their allegiance would be pardoned. All who served on ships of war, at enmity with Great Britain, would be held guilty of high treason, and be punished with extreme severity.

Against much public remonstrance the "Non-Importation" act of April, 1806, became operative in the United States on the 14th of December. Two days afterwards, the news arrived of the proclamation of the British government on the 17th of October, rigidly enforcing impressment. This intelligence led to the recommendation of the president of an embargo on United States vessels; in the words of the message to congress the "immediate inhibition of the departure of our vessels from the ports of the United States." The measure was carried on the 21st after little debate. Erskine, the British minister, who was more well-meaning than able, in an official letter gave the singular opinion, doubtless heard authoritatively from Jefferson himself, that it was not intended as a measure of hostility against Great Britain, but as a precaution against the risk of capture of vessels by France.

Four days afterwards, Mr. G. H. Rose, the vice-president of the Board of Trade, arrived at Norfolk on the "Statira." His instructions, drawn up by Canning, clearly traced the course he was to follow.* In case an attempt should be made to apply the president's proclamation to the "Statira," he should make a formal protest, and, if the answer was unsatisfactory, return to England; otherwise, he was to proceed to Washington, to request an audience of the president and secretary of state, and announce that he was furnished with full powers to enter into negotiations on the "Chesapeake" complaint, but was forbidden to entertain any proposition on any other point. Previously to entering into any negotiation, he was to require the recall of the president's proclamation, and the discontinuance of the measures which had been adopted in connection with it. The disavowal of the pro-

* Lengthy extracts from these instructions were for the first time published in 1890, by Mr. Henry Adams in Vol. IV. of his history.

ceedings of admiral Berkeley, and his recall had taken away the excuse for interdicting communication with British ships, and henceforth the proclamation must be regarded as an aggression. If the demand was refused, the mission should be declared at an end.

The three men taken were to be discharged, but the right was reserved of reclaiming such as were proved to have been deserters, or natural-born subjects. As the attack had been disavowed, an allowance would be made to the widows and orphans of those killed, who could be proved not to have been British subjects. The disavowal, and the removal of Berkeley were the limit of concession, and Rose was directed peremptorily to reject any demand for any mark of displeasure against him.

Rose was instructed to state that after this voluntary offer of reparation on the part of Great Britain, it was expected that the government of the United States would be "equally ready to remove the causes of just complaint, that had led to this unfortunate transaction." It was not to be supposed that Great Britain was prepared to acquiesce in the encouragement of desertion from her naval service. The practice had been too notorious to require illustration, but the instance of the "Chesapeake" was sufficient to justify this demand for adequate satisfaction. The protestations of commodore Barron had been contradicted by one of the men seized, who had confessed that Barron had promised him protection. No severe proceedings were asked against Barron, but a demand should be made for the formal disavowal on the part of his government of his conduct in encouraging deserters, in order to deter any officer from similar misconduct in future. Such disavowal of this act, with that of other flagrant proceedings detailed in the official papers, no doubt unauthorized by the general government, would afford a satisfactory pledge that the recurrence of similar causes would not impose on the British government the necessity of authorizing those means of force to which admiral Berkeley had resorted, but which the continued repetition of the provocation might

render necessary, as a just reprisal. The consent to this demand was indispensable, in order to reduce into an official form the particulars of the reparation Rose was authorized to offer.

With these instructions to guide him, Rose on arriving at Hampton Roads notified the president that he could not leave the ship, unless assured that the proclamation of the 2nd of July would not be enforced. Consequently, he did not reach Washington until the 14th of January, 1808. The difficulty lay in the negotiation for the withdrawal of the President's proclamation. Jefferson expressed every wish to meet the request of the British envoy, and Madison used the same language; but there was ever the continuous stolid adherence to the proclamation, the withdrawal of which was the necessary initial proceeding. Rose, a polished man of the world, was imperturbable; he waited to see what course would be adopted by Madison on the subject of the proclamation, before making any further proposition.

An informal mode was adopted of getting rid of the difficulty presented. It was agreed that the revocation, signed and sealed, should be placed in Rose's hands, drafted in such a form as to be acceptable. On this being done, the adjustment of the differences should be proceeded with, both documents being dated at the same time. Rose agreed to the proposition, provided, in case of failure to agree, the official communication should be rescinded on the base of his letter of the 26th. The agreement failed on the point of the disavowal of commodore Barron. Madison made an offer on the subject, which Rose declined. The negotiation closed with a proposition from Madison to proceed with the discussion, and by Rose's declining to act on the conditions offered. There was no unfriendliness in the rupture. Rose, on the 21st of March, took leave of the president, who was silent and reserved. Madison, who was present, avoided all political allusion. Gallatin and Robert Smith were present. Gallatin declared with some emphasis, that there was no important point of dispute between the two countries but the orders-in-

council, and that the government felt sensibly the difference of the conduct it experienced from Great Britain, and from France. Madison also notified Erskine that the subject had lost its consequence, and if England wished for a settlement she might seek it.

Although no positive result had been attained by Rose's mission, it had greatly calmed public feeling. It was known that the act of Berkeley had been disavowed and that he had been recalled ; that the right of search on national ships was disclaimed ; that reparation had been offered, but differences had arisen in putting it in form. The popular mind of the United States became quieted, especially in the agricultural districts, where the question of impressment could be only imperfectly brought into prominence. It was the same in New England, where any proposition for war with Great Britain was strongly at variance with the general feeling. Madison even suggested that the matter could be arranged in some informal manner, and that the United States government would be satisfied on the restoration of the three deserters taken from the "Chesapeake."

I have felt it a duty to dwell upon these events at some length, in order that the causes of war of 1812 may be clearly understood. It is customary to assign the attack on the "Chesapeake" by the "Leopard" as the predominating influence which led to hostilities. It need only be said that Mr. Rose's mission took place in 1808, and that war was not declared by Madison until the proclamation of the 18th of June, 1812. The narrative I have given is a proof that it cannot be adduced as a primary motive. The fact, however did remain as an unadjusted national dispute, to be brought forward from the arsenal of grievances, when circumstances suggested the expediency of parading it.

Jefferson's career as president continued until March the 4th, 1809, when Madison succeeded to office. The embargo remained in effect during the whole of 1808 amid great opposition, especially from New England, where the feeling was strong that the country was drifting into war with Great

Britain. The president's policy was there regarded as being dictated in the interests of France. Many of the most eminent men of New England held the opinion that the interests of the United States lay on the side of Great Britain ; the one power which then opposed the effort of Napoleon to obtain universal rule ; and that, with the unsettled question of Florida, the national safety of the United States, as a nation, depended on the well-being of Great Britain in her opposition to the autocracy of Napoleon. The embargo however continued ; but in spite of the influence of Jefferson at the close of his administration, an act was finally passed by which it was brought to a close on the 1st of March, 1809. The Milan decree, issued on the 17th of December, 1807, had become known in the United States on the 22nd of February, the hope of France being to entangle the United States in a war with Great Britain. In February, 1808, the French minister wrote that war actually did exist. The bribe offered to lead to a positive declaration of hostility was the possession of Florida. Armstrong was distinctly told by Napoleon's minister Champigny, that the desire of the United States to purchase Florida, to the exclusion of the British, met his approbation, and that he was prepared to recommend to Spain the acceptance of any offer of purchase. The fact explains much in the attitude of the United States in the desire to avoid the appearance of any friendly line of conduct towards England, however great the unwillingness to accept the alternative proposed by Napoleon.

The bill of the 1st of March, 1809, removing the embargo on United States shipping included also a non-intercourse act. No ships of war were to be received in the harbours of the United States, except in distress or charged with despatches. No vessels whatever bearing the French or British flag were to be admitted into port after the 20th of May. No importations from France, or England, or their dependencies, to be allowed entry. The president possessed the power to recall, or to modify the edicts as he held expedient. Vessels engaged in foreign trade had to give bonds of double the value of their

cargo to insure compliance with the above conditions. The restrictions on the coasting trade were repealed ; the act to remain in force to end of next session of congress.

It is essential that the influences which led to the war of 1812 should be correctly known. The facts I have related constitute their earlier stage. Hereafter I will refer to the events of the first three years of Madison's rule as president which preceded its declaration ; a war in which Canada was involved by no proceeding on her part, but from her presenting a vulnerable point in the imperial system of Great Britain. For six years the provinces remained in constant expectation of active hostilities. During this time Canadians never faltered in loyalty and devotion to the claim of duty and honour. The hour of trial came, and it was met by the fortitude and courage ever to be found with a people possessing pride in its nationality, its institutions, its traditions and its position as an integral part of a great and renowned empire. Such is still the feeling of the descendants of the generation that bore the heavy brunt of the terrible contest. They treasure the thought that, small and scattered as the population then was, the gallantry of their forefathers furnishes a page of their history which they may ever regard with justifiable, honest pride, and can never call to mind without deep emotion.

CHAPTER III.

The unsettled relations with the United States in 1807 led to the appointment of a military governor in Canada, sir James Craig. Subsequently, in January, 1808, sir George Prevost, also a general officer, was nominated lieutenant-governor of Nova Scotia in place of sir John Wentworth. Prevost arrived at Halifax in April, bringing with him the 7th, 8th and 23rd regiments of foot. His first duty was to engage in the operations against Martinique. On the resignation of the position of governor-in-chief by Craig in 1811, Prevost was transferred to Quebec.

Sir James Craig arrived at Quebec on the 21st of October, 1807. The four years he remained in the province are still regarded as among the most eventful in its history, for it was during this period that the disquietude and discord, that continued with more or less violence for the succeeding thirty years, first originated. Craig was about 58, when he assumed office. He belonged to the Craigs of Dalnair and Costorton, and was born in Gibraltar, where his father held the position of judge. He entered the army at fifteen, and had been constantly on service. He was present at Bunker Hill, where he had been wounded. In 1776, he was in command of the advance which pressed upon the broken congress troops, in their rapid retreat from the province. He was present as a captain of the 47th in Fraser's march after the abandonment of Ticonderoga by St. Clair in 1777, and was wounded in the affair at Hubbardton; severe while it lasted. He was actively engaged throughout Burgoyne's unfortunate campaign, and was slightly wounded in the first action of the 19th of September. The hurt could not have been serious, for with colonel Sutherland he represented Burgoyne in the arrangements of the "convention" with Gates.* He served through

* *Ante, VI., p. 271.*

the revolutionary war, and in 1794 became major-general. He was present at the capture of the cape of Good Hope in 1795. Subsequently, he performed good service at Madras, and was promoted to lieutenant-general in 1801. Returning to England in 1802, he was placed in charge of the eastern district. In 1805, he was sent to the Mediterranean in command of the expeditionary force. His health at this time was exceedingly bad ; he was suffering from a general derangement of his system, which threatened to terminate in dropsy. Repose obtained for him relief. Believing that his disease had taken a more favourable turn, he accepted the position offered him in Canada. His hope, however, was ill-founded. When he landed at Quebec he was exceedingly ill ; and his letters shew that his incurable malady never ceased to distress him the whole time he was in the province.

So distinguished a reputation would at any time have obtained for its possessor personal respect, but the threatening aspect of affairs with the United States led to greater confidence being reposed in him. There was however one difficulty under which he laboured ; he was without political experience, and the sentiment that governed him with regard to liberal institutions was the simple principle, that no concession should be made to their extension. His opinions were those of the extreme tory party of his day, that power was the prerogative of the crown or its representatives, and it was the duty of the people to be governed. Consequently every pretension for the more liberal working of the constitution was opposed by him. It is, however, due to him to add that these claims were factiously demanded by a majority with exaggerated theories of the power it possessed, unacquainted with, or disinclined to recognize those safeguards indispensable to the successful working of the constitution. Craig moreover was unfortunate in his *entourage*. His advisers formed a body irresponsible to popular opinion ; they were in possession of political and social power, and desired no change ; they had no sympathy with the mass of the people ; and they had no interest in common with them. They shrank from parliamentary control,

for they intuitively saw, what in a quarter of a century came to pass, that their positions would no longer be secure, and their unbroken tenure of office would be no longer possible. Denying to the assembly all control of the public money, they retained it to affirm their strength in an irresponsible position, not recognized by the British constitution. They looked only to the colonial minister in London, as the authority, whence instructions through the governor should be received, whose fiat was to prevail by means of the bureaucracy they represented. They were willing that municipal legislation should appertain to the assembly ; but they opposed the control of the house over all matters affecting the official patronage by which their position was affirmed ; and without the exercise of this power a vote of the house of assembly had little weight in determining the policy of the executive. The principle found its way into social life. The office holders held firmly together, forming a circle round the governor, and laboured to exclude from communion with him all who did not accept their domination. They were thus enabled to impose their own views as to the motives and intentions of the majority of parliament, and indirectly to convey the most unfavourable impression regarding the public men not of their set.

There can be no doubt of sir James Craig's rectitude of character, of his good intentions, and of his desire to perform his duty : nor can there be a question of his ability and the laborious fulfilment of his obligations. But his judgment had not been matured by political training. His intimate adviser was Mr. Ryland, who had been private secretary to the succeeding governors from the days of lord Dorchester. Ryland was a leading member of the government clique, not so much by his official position as by his energy and talents. He had been brought to the notice of Craig in the most favourable manner ; and he rapidly obtained the governor's full confidence, so much so as subsequently to be sent by him on a special mission to England. Craig remained in the province three years and seven months, for the whole period a sufferer from ill health, and during the last months afflicted

by a painful malady. There was no press in which he could read opinions contrary to those he constantly heard. The *Quebec Gazette* was the organ of the government. The *Mercury* had been established in 1805 in advocacy of commercial interests, and as the organ of the British. Its editor having been brought before parliament for breach of privilege, it shewed no love for the majority. The Montreal *Gazette*, the one paper of Montreal, had been subjected to a like attempt of the legislature to exercise the same arbitrary proceeding. This prosecution on the part of the assembly had not been of a character to create outside support for their demands, on the ground of their justice and fairness. Moreover, the majority of the assembly, through its organ *Le Canadien* was assailing every thing British, to convey the theory that if they obtained power, they would exclude all who were not included in their faction. The pretensions advanced by the French Canadian leaders threw on the side of the government all who were repelled by their extreme opinions ; and thus they perpetuated the system, which, if it had been constitutionally and temperately attacked, could not have been maintained. The legislative assembly arrogated to itself a power unrecognized in the constitution. It claimed to be the sole source of power, and that the public had not the right to examine into, or censure the conduct of the majority. No one in modern times would attempt to justify the system of bureaucracy which at this date weighed down Canada. But it must be remembered that not only colonial government was in its infancy and the privileges of the provincial house of assembly undefined, but that even in the imperial house of commons every liberal measure had to be desperately battled for. Above all, that the act of parliamentary representation by which more popular institutions were obtained was not carried until twenty years after this date, when every form of odium was cast upon the advocates of this reform by all interested in opposing it.

Many circumstances tended to bewilder Craig's judgment. His want of experience in civil affairs, while his reputation as

a soldier was indisputable ; the specious, plausible representations of the bureaucracy among whom he was thrown ; the promptings of his astute private secretary ; and the ill-judged conduct of the house of assembly, which made demands, in themselves often just, in a manner to cause them to appear objectionable. Craig's courage, straightforwardness and abnegation of self in all circumstances, called forth respect even from his opponents. There was never any trick or breach of faith, or mean avoidance of a responsibility. He carried out the policy he conceived it to be his duty to follow, firmly, without evasion. In after years, in the time of the war, Craig's name often came to the lips of men, with the thought, that in the crises of those days he would have worthily and gallantly performed the duty assigned him, and the blots which stained the Canadian escutcheon would never have been seen.

Craig's first duty on assuming the government was to consider the defence of Canada; for the hostility of Jefferson's government and of its supporters enforced the belief of the possibility of war. It was felt that much of its force would be directed against the province, many members of congress speaking of its conquest, as if it would be little more than a military promenade. It was said that the French Canadians would offer no resistance, but would greet the congress troops as their deliverers from tyranny. Before he had been in the country a month, Craig issued a general order. After acknowledging the zeal universally shewn by the militia, he said * that those who had been sentenced for insubordination at l'Assomption, having been brought to a sense of their misconduct, and having promised atonement, had been pardoned. In making the fact known, he asked attention to the organization of the militia, to obtain the best degree of discipline of which it was susceptible, expressing his confidence that every one must feel a pride in owing to himself alone, his own safety, and the protection of his wife, his children and his property. In order to prevent the bad effect of any emissaries

* Quebec, 24th November, 1807.

sent among the people to seduce them from their duty, the militia were called upon to watch the conduct of any strangers among them, and, when there was well-grounded suspicion of any evil intention, to apprehend such persons, and carry them before a magistrate.

Craig convened his first legislature on the 20th of January, 1808. His opening speech was long, the constant fault of his addresses, and replete with unwise admonition. He justified the attack of Copenhagen to obtain possession of the fleet as a matter of self-defence; he lamented the difference with the United States government that made the preparation for defence necessary; he instanced the spirited conduct of the militia in coming forward in defence of the country; he mentioned the appointment of commissioners for the erection of gaols for Montreal and Quebec, and he spoke of his own gratification in meeting the houses "engaged in the noblest office to which the human mind can be directed, that of legislating for a free people."

Early in the session a resolution was introduced, declaring that it was inexpedient for the judges of the courts of justice to have seats in the house. It was much debated. At that date judges engaged in political life: a proceeding not unacceptable to public opinion. The custom would now find no advocates, the whole theory of the character of a judicature being, that its members should be free from all bias of party. It was not then so considered. Many esteemed it an advantage in the condition of the country, that men of education and experience should take part in the legislation, so that enactments were not at variance with law, and with the custom which had obtained the weight of authority. It is easy to understand that the judges would not, as a rule, be members of the party of progress, and that their presence would often not be welcome to the dominant party of the lower branch of the legislature. The opposite views prevailed with the council, where it was held desirable that judges should represent the conservative side of politics.

The majority of the assembly declared otherwise; by 22 to 2

the measure was carried against the presence of the judges in the house. As might have been looked for, the council threw out the bill. The dissatisfaction of the members who were strongly in favour of such legislation led to the desire to unseat the judges by resolution. No such measure was, however, proposed.

The religious sentiment of the assembly, in accordance with the general theories of the time, was exercised in another direction. Mr. Hart, a Hebrew merchant of Three-Rivers, had been returned the previous year on the death of Mr. Lees. He had been long resident in the burgh, and, much respected. On his presenting himself to the house, it was resolved that "professing the Jewish religion he could not sit nor (*sic*) vote in the house." On a new writ being issued, Hart was again elected.

Several useful acts were passed. Among them, a sum was voted for the repairs to the *chateau Saint Louis*, the official residence of the governor. The militia and the alien acts were continued, likewise a bill regulating contested elections. The house was prorogued with a long discourse from Craig giving paternal advice, not at all agreeable to the writers of *Le Canadien* who had been studying Blackstone and de Lorme, and were perfectly impressed with their own knowledge of the British constitution, and the support it gave to their theories. One sentence was of weight, that the province might confidently rely that the great and powerful resources of the whole country would be employed for their protection, and that the "British nation felt no dread on the occasion."

The accounts of 1807 shewed the revenue to be £35,943 ; the civil expenditure, £44,410 sterling, independently of the cost of legislation in currency, £2,821.

This session terminated the fourth parliament.

The new elections took place in May. Political feeling had been awakened to great activity. Among those who suffered from it was Mr. Panet, who had been speaker of the house from the first parliament. He had hitherto been elected for the upper town of Quebec, but his reputed connection

with *Le Canadien* turned many of his old supporters against him. He had also presided at a public meeting a few days previously, in which the executive had been assailed with great bitterness. The influence of the government against him led to his defeat. The result however had been foreseen, and he had been returned also for Huntingdon. Shortly after the election in June, Craig took the extraordinary course of dismissing from the militia five officers, on the ground that the step was necessary for his majesty's service. The cause assigned by him was, that he could place no confidence in the services of persons whom he had good grounds to consider to be proprietors of a seditious and libellous publication. They were colonel Panet, the speaker; captains Bedard and Taschereau; Borgia, a subaltern, with Blanchet, a surgeon.

The house met on the 9th of April, 1809: fourteen members only were of British origin, thirty-six were French Canadians. The number is equally representative of religion, one protestant being deducted for the persecuted Israelite, Mr. Hart, again expelled. Panet was once more elected speaker. From the circumstance that he had been dismissed from the militia, it was thought possible that the governor might refuse his confirmation of the choice. The assent, however, was given by the speaker of the council in terms so carefully worded as to be unobjectionable, but shewing little cordiality. In his speech on the opening of the house, the governor referred to the embargo in the United States having had the effect of calling forth the energies of the population, adding, that it had made the province acquainted with its resources. It now depended on the industry and perseverance of the people, whether these advantages could be permanently secured. He pointed out, that the only government control exercised was that of the laws made by its representatives in the legislature, and that if anything could intervene to blast the prospects before them, it was the admission of causeless jealousies and suspicions against the government.

With regard to Mr. Hart, the assembly revived the vote of his disqualification, and a bill was introduced by which Jews

were declared ineligible to a seat in the house. It passed two readings.

The question of judges sitting in parliament was resumed with great acrimony. The more advanced members were for expelling them by resolution, but the motion was voted down by a large majority. A committee was appointed to report upon the question, and a bill for their disqualification was read for the first time. In the midst of their deliberations in the second week of May, Craig went down in state to the legislative council, and summoned the members of the assembly to his presence. He assented to five bills of an ordinary character. He then announced his intention of proroguing and dissolving the assembly. He told the astonished members that, in place of promoting harmony, they had wasted their time in frivolous debates ; that they had abused their functions ; that they had been intemperate, and had acted detrimentally to the best interests of the country. Turning to the legislative council, he thanked the members for their unanimity, zeal, and unremitting attention. His acknowledgments were equally due, he remarked, to those members of the house of assembly, who had endeavoured to avert the proceedings of which he had to complain. As this conduct was injurious to the best interests of the country, he had determined to have recourse to a dissolution.

For a short time in the country districts the feeling went in favour of the governor, but those interested in opposing him did not remain idle. *Le Canadien* penetrated into every French Canadian parish, and those who could not read could listen to what was read to them. The effort was to awaken that national susceptibility always so easily called into activity, especially with a population devoid of education, and unable to exercise the reflection it engenders. In the towns the feeling was with the governor, and against the assembly. It was recollected that only three years previously the assembly had endeavoured to arrest a prominent merchant, and the printer of a newspaper in Montreal, on account of the utterances at a public dinner, and that the publisher of the

Quebec Mercury had been imprisoned for an ordinary criticism of the proceedings of the house. The want of consideration of commercial interests, and the attempt to arrogate to the assembly the right of acting as the one estate of the realm were well remembered to turn the sentiment of the British population against its pretensions. Thus, the issues which might have legitimately claimed support were put out of sight by the evident determination of the French Canadian majority to advocate only such measures as would advance the influence of their party. Moreover, the leaders acted as if they desired to hold themselves aloof, and to remain unconnected with the British, politically and socially. With this object in view, they clung persistently to the French language on all occasions, and strongly appealed to religious prejudices as a cause for union among themselves, and for political support as French Canadians. This argument, addressed more to passion than to reason, did not obtain universal acceptance. The higher orders and the better educated of the French Canadians have always discountenanced this sentiment. They constantly have associated with the English-speaking population, by whom they continue to be held in high estimation, and thus, politically and socially, have obtained the full influence and consideration to which they are entitled.

In June, Craig, accompanied by his staff, visited Three Rivers and Montreal with some ceremony. He crossed the Saint Lawrence to Chambley and Saint John's; on his return he stayed at Sorel. He was everywhere received with great distinction. Addresses were presented to him, in approval of the course he had followed in the dissolution of the house by the exercise of the royal prerogative. On his return to Quebec a similar address was voted to him. Craig in his progress had been received with such demonstrations of respect, as to encourage the belief, that he had so favourably impressed public opinion; that the next elections would return representatives prepared to accept his policy, and that legislation would in future proceed unimpeded by the pretensions of the previous session.

* Ante, Vol. VII., p. 502.

No such result happened. Most of the late representatives were returned ; if any were set aside it was those who had not been prepared to take the extreme course so many had ardently desired. Among the new members was Mr. Louis Joseph Papineau, returned for the county of Kent. Thirteen members were of British origin. The legislature met on the 29th of January, 1810. Panet was again elected speaker. Craig opened the session with one of the long addresses he evidently considered it his duty to give. He spoke of the threatened breach with the United States; to the rejection by the president of any communication with the British minister, a subject into which I will enter in the ensuing chapter, adding that peace more depended on the high-sounding resentment of the government at Washington, than the moderation of the home government. He called upon the province to be prepared for every event that might arise ; should hostilities ensue, he trusted that, with the support of the regular troops and the cheerful exertion of the militia, the province would be found equal to any attack. He spoke of the capture of Martinique and the battle of Talavera, and of the practice of forging foreign bank bills. Finally, he declared that, having received his majesty's pleasure upon the subject of an act making judges ineligible to a seat in the assembly, he was prepared to give his assent to it.

On the meeting of the house a resolution was introduced and carried, by 24 to 11, that every attempt to censure the proceedings of the house, by the approval of the conduct of one part of the members and the disapproval of others, was a breach of privilege, and an attack on the liberties of the province.

An address was voted unanimously, congratulating the king on having attained the 50th year of his reign.

The civil list next claimed attention. Resolutions were carried that the province was in a condition to vote the sum necessary for defraying the expenses of government, and the house declared its willingness to do so. Separate addresses were prepared to be presented to the king, the lords

and the commons, by the assembly alone, without reference to the legislative council. Acknowledging the beneficence of the mother country towards the province, the assembly expressed its readiness to relieve her of future cost, to vote the estimates, and impose the necessary taxes.

It was on these occasions the assembly shewed its want of knowledge of constitutional form. It advanced the claim to monopolize all legislative power by placing the government in the hands of its majority. There was no attempt to induce the legislative council to join in the address. Opposition to the measure from the council might have been experienced; but its justice, with the necessary limitations to control any usurped authority on the part of the assembly, would have enforced its acceptance. On the address being presented to the governor, he refused to receive it, on the constitutional ground, that all grants of money should, in the first instance, come in the form of a recommendation from the crown; and, that although such grants originated and were first voted in the lower house, they are invalid without the consent of the other branches of the legislature. He further pointed out, that it was without precedent for a single branch of the legislature to address either of the houses of the imperial parliament. That each branch of the legislature was incomplete without the participation of the other. Moreover, that the ministry at home did not constitute the organ of communication with the legislature, except by his majesty's command. Under ordinary circumstances, it would be beyond his duty to place the addresses in the hands of his majesty; in this case, he would do so, to shew the good intentions of his subjects in Lower Canada. But such compliance must not be held as a concession to the assembly of the right to vote grants of money, unless recommended by the crown, or as a precedent that any such vote was effectual without the concurrence of the legislative council.

While this matter was in abeyance, an address was voted to the governor, asking that he would order the proper officer to lay before the house an estimate of the civil expenses, thus

shewing a determination to adapt them to their own standard. The reply of the governor, that the addresses voted should be forwarded by him in the qualified form he had pointed out, also obtained attention. Mr. Bedard moved the appointment of a committee with all convenient speed to inquire into, and report upon the constitutional point involved, and upon parliamentary usage.

A motion, also, was introduced for the appointment of an agent for the province to reside in England. It was followed by a bill making judges ineligible for a seat in the house. Transmitted to the upper house, it was amended by the introduction of a clause, that it should take effect at the expiration of the present legislature. The spirit of defiance had taken possession of the majority of the lower house. In place of accepting the amendment, which recognized the principle for which they had contended, and from personal animosity against judge de Bonne, the holder of the seat for the upper town of Quebec, who generally voted in opposition to them, they passed a resolution that de Bonne, being a judge of the court of king's bench, "could not act nor (*sic*) vote in this house." Although the house consisted of 50 members, 24 only voted, 18 being in the affirmative.

Craig was neither to be outgeneralled nor intimidated in what he held to be his duty. On the following day, the 20th of February, he prorogued the house. He then informed the members that, after mature consideration he had determined to refer the question to the sense of the people: in other words, to dissolve parliament. Whatever his desire that public business should suffer no interruption, the matter was not left to his discretion. Setting aside all personal feelings as to the mode in which the transaction had been conducted towards himself, there were higher considerations. An act of the imperial parliament had been violated. The house of assembly had unconstitutionally disfranchised a large portion of his majesty's subjects, an allusion to the Jews, and by an exercise of authority they did not possess, had rendered ineligible another not inconsiderable class of the community. He con-

cluded by saying : " When we met I felt much satisfaction in the consciousness of having taken such steps as I thought most likely to facilitate, indeed I thought would do away every possible objection to a measure that seemed to be wished for, and that in itself met my entire concurrence ; but the only objection that can, I think, exist in the mind of any reasonable man to the eligibility of the judges, arises from the possible effect that may be produced by the necessity it puts them under of soliciting the votes of the electors. No well-grounded objection can be offered to their sitting in the house when they are elected. On the contrary, their talent and superior knowledge must render them highly useful, and, were it not for other considerations, highly desirable members. I cannot but exceedingly lament that a measure which I consider as beneficial to the country should not have taken effect. The people, however, in the disappointment of their expectations, will do me the justice to acquit me of being the cause that so little of the public business has been done."

Craig was loudly cheered at his entrance into and his departure from the council chamber. Addresses of approval followed from the county of Quebec, from Montreal, Three Rivers, Terrebonne, and many other places. The course followed by the majority of the assembly called forth a strong adverse feeling. It was seen that it was striving to exercise authority that it did not constitutionally possess, in order to promote the peculiar views and feelings by which many of its members were led. Had the governor rested content with the advantages he had gained, he might possibly have prevented the French Canadian party from assuming the serried phalanx of opposition to the government, which took form at this time, and was maintained till even after the period of the union. The preservation of this sentiment became the dominant object ; so that whatever the concession granted in after years, it had little weight. The claim of the supremacy of the house of assembly in all respects, even to the denial of the right of criticism of its proceedings, remained a fixed principle.

Had Craig been as experienced in political as he was in

military life, he would have endeavoured to divide the party by exposing the unconstitutional character of its pretensions, and by combating the spirit of persecution exercised against all who did not favour them. But he took the dangerous and unwarrantable course of endeavouring to crush the power, against which he saw that he must contend. Something, however, may be said for the course taken by him, owing to the belief that an ulterior object was in view, which the troubled condition of the relations with the United States to some extent justified.

No long time had passed since the days of Genet and Adet; and McLane had but ten years previously been executed at Quebec for his endeavours to sow sedition. *Le Canadien* was making an incessant appeal to the prejudices and passions of the French Canadians, and there may have been grounds for the belief that they were fomented by agents from the States, with the ulterior view of an armed opposition to government. No warrant for this opinion has ever been adduced, and the release of those arrested, without trial furnishes a plain proof that there was no such cause for their detention. The governor had formed strong views of the situation. He was sustained by the executive council, opposed to the changes involved in the claim of the house of assembly to vote the estimates, for it was directed against the emoluments of the official class. It may also have been thought, that the step would influence the elections of the new house, and that an exhibition of power would repress the spirit of opposition which was causing the trouble.

On the 17th of March a party of troops conducted by a magistrate and two constables, under the authority of the executive council, proceeded to the premises of *Le Canadien*. The press was taken in possession with all the papers in the office, and deposited in the court house. The printer, one Lefrancois, was carried before the council, and afterwards committed to gaol. The guards throughout the city were strengthened, and the city patrolled, as if a rising of the population was looked for. Three days were given to the

examination of the papers which had been found on the premises. On the 19th, Messrs. Bedard, Blanchet and Taschereau were arrested on a warrant under the act for the better preservation of her majesty's government. Their arrest caused a great sensation, for it supported the belief that a general rising of the French Canadians had been designed and had been summarily suppressed. Any such design was quickly proved to have been groundless, and the act can only be described as an ill-judged exercise of extreme arbitrary power. Undoubtedly there was much excitement owing to the prorogation, and the partisans of the majority were loud in denouncing it. Three arrests were made in the district of Montreal : Laforce and Pierre Papineau, of Chambly; and Corbeil, of île Jesus.

On the 21st of March Craig issued a long proclamation. It set forth that seditious and treasonable writings were being published and dispersed through the province at great expense, the source of which was unknown, and that some of the authors and printers had been arrested. He recalled the happy consequences traceable to the influence of British rule. Most false reports had been spread to disturb public confidence. One was that he had applied for authority to embody 12,000 troops, and, owing to the refusal of the house to grant the demand, he had dissolved it. Another report was, that he desired to tax the lands, while the assembly desired only to tax importations. The statement was equally false. The offer of the house to defray the civil list must first be submitted to the king, and a long period must intervene before the consideration would arise how revenue was to be created. Some mention had been made of his intentions. Who could know them? Those only who associated with him ; not the abettors of treason and discord. Let the Canadian people refer to those who had been hitherto its advisers, the heads of their church. There is, even at this day, something touching in his allusion to himself : "Is it for myself, then, I should oppress you? For what should I oppress you? Is it from ambition? What can you give me? Is it power?

Alas! my good friends! with a life ebbing not slowly to its period, under pressure of disease acquired in the service of my country, I look only to pass what it may please God to suffer to remain of it, in the comfort of retirement among my friends. I remain among you only in obedience to the command of my king."

The proclamation concluded with a caution not to listen to the artful suggestions of designing and wicked men, who, by the spreading of false reports and by seditious and traitorous writings, ascribe to his majesty's government evil and malicious purposes." It directed magistrates, captains of militia and others to make diligent search to discover the authors and publishers of seditious writings.

Chief justice Sewell, who presided at the criminal sessions in March, in his charge to the grand jury called attention to these occurrences, and read the proclamation of the governor from the seat he held as chief justice. The proceeding created some astonishment, and was considered an exhibition of political partisanship on his part not to be commended. The grand jury in their presentment strongly blamed the tone taken in *Le Canadien*, and referred to the writings of the *Mercury* as calculated to create distrust with the French Canadians.

Blanchet and Taschereau were discharged from their confinement at the end of July; the former on the plea of ill-health. Both expressed regret at the extreme tone taken by them. Bedard declined to accept his release; he declared that he had done nothing for which he should be condemned, and he did not care how long he was kept in prison. In the April term he had applied for a writ of *habeas corpus*, but it had not been granted. The printer was also discharged. Shortly afterwards Bedard presented a petition, the tenor of which was, that he had acquiesced in his imprisonment, on the supposition that information had been given to induce the belief that his arrest was necessary for the public good. As it was now established that there was no foundation for it, he prayed to be released and brought to trial. Craig relates

that he communicated the petition to the council and the opinion expressed was, that it "was not such that could be attended to." A second petition was sent, of which Bedard's nephew was the bearer, asking to be allowed reference to the petitions of Taschereau and Blanchet. The request was not granted. Craig, however, at the end of August, hearing that Bedard's brother, a priest, was in Quebec, sent for him. In the interview the governor stated that as Bedard had pursued a line of conduct which "threatened to throw the country into a flame," he had been obliged to have recourse to means to prevent his so acting. He had no enmity against Mr. Bedard, all he desired was the preservation of the public tranquillity. On security being given that the attempt would not be continued, and "that he will not resume his attempts to disturb it, which he could alone look for in a confession of the consciousness of his error in what he has done," he would consent to his enlargement. Two days afterwards, Bedard's brother brought the reply of Bedard, thanking Craig for the generosity of his sentiments, and that if any man could convince him that he had been in fault, it was the governor, but as that conviction must arise in his own mind, "he must be content to submit to his fate."

The self-assertion which had found utterance in the house of assembly, with the evident determination of the majority not to depart from the position it had taken, determined Craig to send an agent to London to propose to the British ministry changes in the constitution, by which the power of the crown would be increased to the exclusion of popular influence. The agent selected was Craig's private secretary, Mr. Ryland. He arrived in August, 1810, in London, where he remained engaged in the duties assigned him until March, 1812. He undoubtedly shewed great ability and energy in pursuance of his instructions. Mr. Percival was then prime minister, owing to the resignation of the duke of Portland in August, 1809, consequent upon the failure of lord Chatham's expedition to Flushing, and Canning's objection to the continuance of Castlereagh in the war department. Sir Robert

Peel, at that time a young man, was under secretary of state, lord Liverpool the war minister.

One duty of importance assigned to Ryland was to obtain an expression of decided approbation with regard to the course pursued in the suppression of *Le Canadien*, and the arrest of its supposed writers. The main point, however, was to reduce the house of assembly to a nullity. One of the means suggested to gain power to influence the elections, was the assumption of the patronage of the Roman catholic church, so that the intervention of the clergy would be directed on the side of the government. It was recommended that the Roman catholic bishop should be appointed "superintendent" of his church, with a salary proportionate to his dignity, and the clergy should be inducted into their cures by letters of confirmation by the government; further, that parishes should only be established by letters patent. Mr. Ryland also proposed that the jesuit estates should be partly applied to the expenses of government, and partly to the establishment of a system of education; moreover, that the estates of the seminary of Montreal should be taken possession of by the crown, an annual allowance of £3,750, then declared to be the revenue, to be made to the seminary. It was considered that the estates themselves were of immensely greater value. By appropriating this property to government uses, an amount sufficient to defray the expenses of the civil government would be obtained, and there would be no necessity for any application on the subject to the assembly. The argument by which this step was justified was, that the seminary of Saint Sulpice at Paris was originally the real proprietor, and that the branch of the parent society at Montreal had no act of incorporation, or distinct creation as an independent body. The transfer of the estates after the conquest in 1764 had been made to the Montreal branch on the ground, that the order in France could not retain the estates in possession, in consequence of the royal declaration that the holders of property, not remaining in Canada, must alienate their estates on pain of confiscation, and that to sell them would defeat the

purposes of the institution. Therefore it was expedient to transfer the property to the seminary of Montreal. At this time the branch at Montreal was not a community distinct from that of Paris, and did not constitute a body corporate, capable of holding the estates in mortmain. Consequently the estates had lapsed to the crown by the right of conquest. Even supposing that the priests of Saint Sulpice were entitled to hold and enjoy the estates, the right could not be extended beyond their natural lives ; the Canadian order of Saint Sulpice had expired with them. The seminary of Montreal was without power to create priests of the order, and whether those in possession were natural-born subjects, or aliens, they had held their title by foreign authority : a right not to be admitted. The estates, therefore, had reverted to the crown as the right and lawful heir.

However startling the logic in the doctrine enforced by Mr. Ryland on the British government, the object of the proceeding was plain, to break the power of the Roman church by taking away its endowments, and by making the priesthood dependent on the executive authority. The case was referred to the law officers of the crown in London. They pointed out that the party under such conveyance must have a legal capacity to hold lands ; that there was no ground for affirming that the members of the order in Canada had such capacity apart from the general body, which had since been dissolved ; and that those who had remained in the province had not obtained the necessary license from the crown, indispensable by French, as by English law. Hence they formed the conclusion that the title was originally defective, and could not be considered in law to be valid.

The fact, however, remained, that half a century had passed since the conquest, during which peaceable possession of these lands by the Sulpicians had been admitted by the forbearance on the part of the crown to assert its rights. In submitting an opinion of the legality of the title, the referees added that it would be very desirable if, by any compromise, or amicable arrangement, the crown could be restored to its rights without

having recourse to process of law, which would carry with it some appearance of hardship towards those against whom it could be enforced.

Mr. Ryland's instructions were, likewise, to propose a suspension of the constitution ; that the province should revert to government by the legislative council without a house of assembly, in accordance with the system followed previous to the passage of the Canada act. Lord Liverpool replied to this proposition that, however inclined the ministry might be to support such a measure, they could not venture to bring it before parliament. He suggested a reunion of the two provinces, or an act for a new division of the constituencies, in order to obtain a greater proportion of English-speaking members. Further, he desired to be informed if any of the opposition could be "brought over;" a suggestion which received no encouragement from Mr. Ryland. In a few weeks Ryland wrote that the suspension of the constitution was entirely out of the question. There was every readiness to confer with him, and to listen to his representations. The difficulty he found was to obtain the expression of any definite view. Every courtesy was shewn to him. On his part, there was no failure in bringing his case before the ministers, a duty which he indeed performed with much judgment. On one occasion in August, attending by appointment at Downing street, he found himself present at a meeting of the cabinet, being placed between lord Liverpool and Mr. Percival. Several questions were asked of Ryland in the effort to probe the causes of discontent in Quebec ; among them the query whether the members opposed to the government might not be "brought over" by the hope of being employed. This, of all considerations, was most opposed to the views of the bureaucracy of Quebec. Writing to sir James Craig, Mr. Ryland remarks :* "This question, I must confess, caused me rather a warm sensation, but I answered with coolness that this system had already been acted upon in several

* 27th August, 1810. Christie, VI., p. 142.

remarkable instances . . . that the original object certainly was to force themselves into place, but the patronage of the governor was very limited, and there were but few places to give away." Mr. Ryland remained present at the council three-quarters of an hour. An infinite number of questions were put to him, and he formed the view that a system of conciliation in regard to the province was to be practised. Indeed, lord Liverpool gave Mr. Ryland clearly to understand that, without stronger grounds for interference, the matter could not be brought before parliament, and that the decisive measures recommended by Craig could not be advocated. The ecclesiastical affairs were without the province of parliamentary influence, and they might be discussed.

The points submitted by Mr. Ryland were referred to the attorney-general. The cautious opinions given by that official denote his view of the demands made by Craig. He considered that the imperial parliament possessed authority to make changes in the constitution as experience may require, but it was to be expected that when submitted to parliament they would be scrupulously discussed. Moreover, such legislation would create dissatisfaction in the province with those, whose power was threatened to be controlled by it. It was competent to parliament to unite the two provinces under a single government; but in his view, no new division could be made of the electoral districts, nor could the number of representatives be changed. The power given by the crown for their determination could be exercised but once, and no further alteration could be effected except by the legislative council and assembly with the assent of the crown.

He considered that the passages in *Le Canadien* upon which the proceedings in the council were founded were not such as to fix upon the publishers the charge of treasonable practices, and it might be difficult to justify the steps taken against them. They were, however, calculated to cause mischief in the province, and might be prosecuted as seditious libels. Considering the apprehensions entertained as to the trouble they would create, it was perhaps excusable that resort had

been had to means not strictly justifiable in law, for the suppression of the paper.

While Ryland was thus in London advocating Craig's views, the governor's health had completely broken down. He wrote in October that he had been ill since the middle of the preceding month, subjected to a discipline little less severe than the malady itself. Towards the end of November, having become impressed with the idea that war was probable, his health not being equal to undertake the great exertion hostilities would call forth, he considered it right to resign his command. In January, 1811, he was informed that owing to his majesty's illness, no instructions could be given him, and the hope was expressed that he would not be inconvenienced by holding the office until arrangements could be made to replace him. Craig remained at his post, but his malady so increased that he was unable to write, and was forced to dictate his correspondence which, he states, not being accustomed to, he found difficult.

Ryland so favourably impressed lord Liverpool, that on the appointment of sir George Prevost, the minister wrote bearing testimony to his zeal and capacity, adding that it would give him satisfaction to learn that he had been retained in the position of secretary. This arrangement was in the first instance accepted by Prevost, and Ryland wrote forwarding copies of his correspondence in London, believing that Craig's views would be maintained by the new governor. He himself remained in London, to obtain a decision on the points he had raised regarding the ecclesiastical rights of the crown with regard to the seminary estates. In a letter of December he states that the despatch authorising Prevost to exercise such rights as he might deem advisable had been written, but the lord chancellor, Eldon, had suggested some scruples "which have for the present put a stop to the business."

Ryland left London about March, 1812. He returned to Canada, in spite of his energy and laborious efforts, without having accomplished a single object he had started to effect.

He continued as secretary to sir George Prevost for a short period ; but their relations were not agreeable, and Ryland in August alluded to "unpleasant circumstances" connected with the position. In April, 1813, the relationship was brought to a close ; Mr. Brenton, who had acted with sir George Prevost in Halifax, being appointed to the post, while it was understood that Ryland should "enjoy the pecuniary advantages attached to that office till he obtained an equivalent." *

* In a letter to sir George Prevost, Ryland alludes to the amount of money he received, viz. :

Clerk Executive Council,	.....	£400 per an.
" Crown in Chancery	.....	100 "
" Treasurer Jesuits' Estates	.....	135 "
		£635 "

Out of the above he had to pay contingent expenses, including salaries of copying clerks.

He had also a pension of £300 a year, a reward for public services prior to 1804.

The above amount was independent of the salary of the office of private secretary. Moreover, Mr. Ryland was in receipt of a sum of by no means small amount, for fees. As money was at that date worth from two to three fold what it is to-day, Mr. Ryland could not complain of insufficient remuneration.

CHAPTER IV.

An event occurred in 1808-9 which with propriety can here be related, although it did not occupy public attention until three years later. It became the subject for debate in congress on a message by Madison in March, 1812, the object doubtless having been to create feelings of hostility to Great Britain, prior to the declaration of war which followed in June. One John Henry, of whom nothing is known but his conduct on this occasion, was in Montreal in 1808. He is said to have emigrated as a boy to the United States. In what condition he lived there is unknown; in Montreal he bore the title of captain.* Considering Canada a better field for his talents, he had arrived in the above named city, where he commenced the study of law. These were the days of Jefferson's embargo, which caused great dissatisfaction in New England. In February, 1808, Henry had become acquainted with Ryland, who suggested that as he was proceeding to Boston on private affairs, he might be able to obtain important information regarding the public sentiment entertained there. At this date he had no direct relationship with the government. It is not impossible, however, that owing to the confidential position of Ryland at Quebec, he formed some opinion of the official nature of his mission. Between March and April he wrote six letters, the two latter from Montreal. On April the 10th Craig forwarded the first four to Castlereagh, in which he states that Henry had not the most distant idea that his correspondence was being

* On the production of the correspondence in congress in February, 1812, Mr. Fish said he knew that Henry, who was an Englishman by birth, had long resided in the country, had married in Philadelphia and had been an officer in John Adams' army. Christie, in his account of the transaction, states Henry was an Irishman.

made use of; on the 5th of May the last two letters were sent to England.*

They contain nothing more than the observations made by Henry on the state of public feeling, with such political news as he could collect, and extracts from newspapers which sustained his opinions. He alludes to Rose's mission and the close of the negotiation. Indeed, it is impossible to draw even a shadow of wrong-doing from the proceeding. In the excited state of feeling in the United States, it was not only a right, but a duty of the governor-general to learn from a trustworthy source the probabilities of the maintenance of peace; for it had become plain, if war was to take place, it would be declared by the United States, not by Great Britain.

The anxieties of Craig regarding the policy to be observed by Madison on his inauguration as president in March being in no way removed, he determined to send a confidential agent to the northern states to report upon the condition of feeling entertained towards Great Britain. In January, 1809, Ryland proposed to Henry that he should engage in this mission. The correspondence was to be carried on in cypher, the able execution of which, Ryland wrote, would give him a claim not only on the governor-general, but on his majesty's ministers which might eventually contribute to his advantage. On the 6th of February Craig communicated to Henry instructions "most secret and confidential." We know from a letter of Ryland that Craig never signed instructions except when written by himself.† These instructions set forth that the principal object was "the endeavour to obtain the most accurate information of the true state of affairs in the Union." "I include," writes Craig, "the state of the public opinion, both with regard to their internal politics, and the probability

* These letters are calendared in the Archive report of 1892, Q. 107. They were addressed to Ryland.

† "Your lordship will allow me to mention one circumstance relative to Sir James Craig, very well known to every gentleman who has served immediately under him, which is, that he never put his name to any letter or paper of importance, which was not drawn up entirely by himself." Ryland to the earl of Liverpool, Beauport, 19th August, 1812. [Christie, VI., p. 299.]

of war." Craig proceeds to state that it has been supposed "that the federalists, rather than submit to the continuance of the difficulties and distress to which they were subjected, would exert their influence to bring about a separation from the general union." While it was inexpedient that Henry should appear as an avowed agent, he was authorized to receive any communication which it was desirable should reach the government, and credentials of authority to entertain them were given him. Between the 13th of February and the 22nd of May Henry wrote fifteen letters. Instructions were then sent to him to return to Canada. Henry's letters * were simply reports of the state of feeling he observed. They were of the character that an able, energetic agent would write, of no particular significance ; such as indeed can be daily read as the production of a modern newspaper correspondent. The general opinion he gave was that war was not probable.

It is of importance to bear in mind that the correspondence ceased on the 22nd of May, 1809, and that Craig remained as governor-general until June, 1811. No claim in this period was made for any special payment by Henry, and the inference is plain that he was liberally rewarded for his services. No evidence that he was in any way dissatisfied is extant. In one of Ryland's letters † to the governor-general he wrote that Henry, who was then in London, had called upon him to state that, the sheriff of Montreal, Gray, was dead, and he was not without hope that Craig would bear him in mind for the appointment. Ryland sustained the application, adding that Henry would return to Canada if this "kind intention" had been formed. If the application reached Craig, he made no reference to it, in his letter of the 4th of June, written a week before he left Quebec.

Henry in 1810 and 1811 was in London, and applied to lord Liverpool for some position as a reward for his services. His ambition was to be judge advocate of Lower Canada, on a salary of £500, or to obtain some profitable *dolce far niente*

* They are calendared in Can. Arch. Report, 1892, Q. 109, *passein*.

† London, Tuesday, 5th March, 1811. [Christie, Vol. VI., p. 201.]

consulate. Lord Liverpool's secretary replied to the application, that sir James Craig had said nothing regarding any recompense to be granted in England. Henry's demands were continued until November. Finding that they met with no response, he sold the correspondence to Madison. It is supposed he received \$10,000 for it. The debate on the documents in the house of representatives was without importance. The papers were ordered to be printed, and referred to the committee of foreign relations. Monroe in March appeared before the committee and stated, that it had been stipulated that Henry was not further to be interrogated in any respect, and he had sailed for France. It is the last we hear of this man. In the house of commons Mr. Whitbread made a motion on the subject, which he withdrew. In the lords, lord Holland brought the subject to the notice of lord Liverpool, who defended sir James Craig, and the matter dropped.

We hear of Mr. Henry in 1808. When the news of the suspension of judge Thorpe reached Lower Canada, he became an applicant for the position of judge. Having obtained several letters of recommendation, he appealed to the influence of Mr. Ellice. The proceeding reached the ear of Gore, the lieutenant-governor of Upper Canada, who wrote to Cooke that he could scarcely believe the report, as Henry was an Irish adventurer, not even called to the bar, and also a citizen of the United States.*

Henry's mission was, neither more nor less than, what is undertaken by every government when circumstances call for such inquiry. Mr. Madison found the correspondence a useful auxiliary in exciting the "backwoodsmen politicians," who supported him when the determination had been formed of plunging into war with Great Britain; and it became a medium of increasing the feeling of hostility to which he had appealed to sustain his political position.

The new elections of 1810 in the lower province had resulted in returning generally the old members, among whom

* Can. Arch., 311-2, p. 351, 16th Sept., 1808.

were nine only of British origin. The assembly met in December. The governor called attention to the necessity of renewing the temporary act for the better preservation of his majesty's government ; also the alien act. After the delivery of his speech, the governor sent a message to the house, that Mr. Bedard, elected to serve for the county of Surrey, was detained in jail on warrant, for treasonable practices. The communication was acknowledged in the usual form. In allusion to the act about to expire, the house in reply expressed hesitation regarding its renewal as enacted, adding that "the fears and apprehensions . . . in consequence of the execution of this act will demand our serious consideration." With pain they reflected on the efforts that had been made, to represent in false colours, and in a manner wide of the truth, the opinions and sentiments of different classes of his majesty's subjects : a proceeding not in accord with the sentiments of the governor's speech of a desire to cultivate harmony and good understanding. Craig accepted the challenge, and replied by a message that his information on the condition of the province did not justify the statement. If such apprehensions existed, they were confined to those who were aware of the possibility of themselves becoming obnoxious to the act. His speech had been misunderstood. The harmony and good understanding, which he expressed himself desirous of cultivating, were between himself and the other branches of the legislature. They had applied his remark to the community at large ; it was, however, a sentiment in which he cordially concurred.

The acts recommended were introduced in the upper house and sent down to the assembly. They were passed, not without reluctance. They provided that no member should be imprisoned during the sitting of the legislature, until the ground of arrest had been communicated to the house, and its consent obtained ; a claim in no way affecting the case of Bedard. A resolution was carried that an address be presented to the governor, praying that Bedard might take his seat. The committee appointed to present it never

officially took any action. A debate arose, which finally was adjourned, and the matter ended.

The house closed on the 21st of March. Several acts were passed. What was known as the "Gaol Act," which imposed a special tax for the erection of gaols, being about to expire, was temporarily renewed. It had in all respects answered expectation, the revenue for 1810 having been £22,000 currency. £50,000 was voted for a parliament house, but the war soon following prevented the application of the appropriation. The *chateau* of Saint Louis had been repaired, and made habitable as an official residence for the governor. The original estimate had been £7,000, but it had cost more than double, £14,980. As it could be shewn that the disbursement had been a necessity, and had been honestly made, the assembly readily authorised it. The militia act was continued to the 1st of March, 1813, or to the end of the war, or in case of insurrection, should that necessity arise. The bill disqualifying judges to sit in the house of commons passed both houses, and received the governor's sanction. The session was concluded without the discord that had previously prevailed. There was even some cordiality between the members and the governor. The fact was, that however objectionable his policy may have appeared to the majority of the house of assembly, Craig was personally popular. His manners were frank, and there was an absence of all affectation in what he said or did. Moreover, there was no misunderstanding his meaning, when he had even something to say not pleasant to his listeners. His military reputation was of the highest, and he identified himself with every project for the advancement of the province. He was unaffectedly hospitable, and ever ready to recognise any demand on his benevolence. The members also knew and respected his determined and unbending character. Much as they disliked to renew the temporary act for the better preservation of the government, the provisions of which they considered had been unduly applied for the arrest of the writers of *Le Canadien*, they passed it. It is due to the legislature to bear

in mind the threatening relations with the United States. The members could not have failed to hear the many bombastic threats which constantly crossed the frontier ; one, by Henry Clay, that Canada could be conquered by the militia of Kentucky ! Doubtless the knowledge of the troublous condition of public affairs, in which war at any time might be looked for, suggested compromise and unanimity.

The session was closed by one of Craig's characteristic prolix addresses, redundant with advice. It was his farewell to Canada, for owing to his declining health, he was unable to continue longer at his post. He spoke of the laborious session, from which the members could return to their constituents with the consciousness of not having neglected the interests entrusted to them. He referred to the death of the princess Amelia, and the alarming indisposition of the king. He had but little to say of the non-importation act lately passed. One sentence calls for special mention : "The bill which you have so wisely passed for preventing the nefarious traffic that has been but too long carried on in the forgery of their (the United States) bank notes, will at least prove that you have not suffered any sentiment of resentment to weigh against these principles of liberal justice, with which you are at all times animated towards them." He inculcated submission to the laws, warned them against the evils attendant upon the prosperity on which he congratulated the members, and the evils of luxury and dissipation. He appealed to the teachings of religion, and the efforts of the magistracy to counteract all bad influences. He cautioned his hearers against envy and jealousy, and advocated the mutual intercourse of kindness and benevolence. "I am earnest in this advice, gentlemen," he added, "it is probably the last legacy of a very sincere well-wisher," and he proceeded to trace the condition of the united people he was leaving, more in accordance with his own honest illusions than with the real condition of the province.

Shortly after the prorogation, Mr. Bedard was released ; the governor in a minute placed on record his views on the subject. Bedard's detention had been a matter of precaution

not of punishment. Those who had been confined with him, having "expressed the conviction of their errors," had been released. Mr. Bedard had been notified, through his brother, what was expected from him. His reply, perfectly respectful, was that he declined to admit that he had been guilty of error. The election of Bedard led to the address asking for his release, and a conference was requested by the elder Mr. Papineau. In the interview Craig refused, during the sitting of the house, either as a right or favour, to consent to Bedard's liberation. The idea had been generally accepted that the house of assembly could itself effect his release; but the time had come "when the people should be made to understand the true limits of the rights of the respective parts of the government, and that it is not that of the house of assembly to rule the country." The session was now closed, the members had reached their homes, tranquillity was generally established, and the time had arrived to put an end to the confinement of Mr. Bedard.

It may be remarked that it was the last public act that Craig performed.

Craig had no misconception with regard to the ultimate tendency of the proceedings of the assembly. Indeed, he understood the result to which they were directed, better than the French Canadian members themselves. What is now known as responsible government was never an aspiration of the Lower Canadian majority; the remedy they suggested was an elective legislative council, in the belief that the joint vote would create an irresistible force in politics for the control of the expenditure. They never proceeded further than this view. Craig saw the real purport of their pretensions: that they were leading up to an independence of the control of the colonial office, which, as governor-general, he was present to affirm.* That there should be no self-government in Canada

* "They believe or effect to believe that there exists a ministry here, and that in imitation of the constitution of Great Britain that ministry is responsible to them for the conduct of government. It is not necessary that I should point out to your lordships the steps to which such an idea may lead them." Craig to Castlereagh, 8th August, 1808. [Can. Arch., Q. 107, p. 312.]

beyond municipal legislation was the fixed theory of the officials of the colonial office, which was clung to so pertinaciously, and abandoned with such reluctance. Under this system the governor had no responsibility to the province. So long as he kept within the domain of good sense, he was to a great extent independent of popular interference : a position he was encouraged to assert by the officials by whom he was surrounded, all of whom were interested in the perpetuation of the system as favourable to themselves. Of his own power Craig never entertained a doubt, and he never hesitated to exercise it. His dismissal of the writers in *Le Canadien* from the militia, of the younger Taschereau as *grand-voyer*, and Plante, a member of the assembly who held a government office, he regarded in the light of the discharge of his duty. Plante, on making submission, was reinstated. The removal from office of the solicitor-general of Mr., afterwards sir James Stuart, took place in 1809. Craig complained that Stuart had been positively discourteous, without any personal cause. The governor never had any intercourse with him. Stuart had never left his name at government house, or attended at the levee held on the king's birthday, although holding an official position. As a member of the house he had made no attempt to defend the policy of the executive, and had voted affirmatively in the motions directed against the governor. On one occasion, when named on a committee to wait upon the governor, he had abstained from being present. Craig, considering that this line of conduct was incompatible with his holding any official position, dismissed him.*

The name of sir James Stuart will appear frequently in the succeeding pages of this history, and his name is still remembered, owing to his admitted legal ability, and his varied and extensive attainments. He was the third son of the Rev. Dr. Stuart, a man also of celebrity, who in colonial days lived at Harrisburg, Pennsylvania. His family were Presbyterian. Young Stuart connected himself with the church of England, but he would not follow out his desire of taking holy orders, to

* [Can. Arch., Q. 109, p. 128, 1st June, 1809.]

avoid giving pain to his father. The father, touched by this sentiment, finally gave his consent to his studying for the ministry. Stuart proceeded to England to be ordained when in his 30th year. He commenced his career in the Mohawk valley ; and, as a U. E. loyalist, was forced to flee from the United States. He proceeded to Montreal, where he was appointed to a chaplaincy in a colonial regiment, in which city he also performed the services of the church. On the settlement of Upper Canada by the U.E. loyalists, he was placed in charge of the church in Kingston, where he remained to his death. He was for some time chaplain of the legislative council. He died in 1811.*

Mr. Stuart, now recollected as sir James Stuart, was the third son. He was born at fort Hunter, on the Mohawk, in the state of New York, in 1780. From the humble school at Schenectady he passed to the college of Windsor, Nova Scotia, and at the age of fourteen entered the law office of Mr. Reid, the protonotary of Montreal. In 1798 he became a student with chief justice Sewell, then attorney-general ; three years later he was admitted to the bar. He had previously been appointed assistant secretary. In 1805, then only twenty-five, he was named solicitor-general. In the election of 1808, he was chosen for both the county of Buckingham and for Montreal ; he elected to sit for the latter. In 1809 he was removed from his official position, as I have narrated. He was not a member of the legislature of 1810. His career during the succeeding quarter of a century will be recorded in this narrative.

In reporting Stuart's dismissal, Craig stated that he had not filled up the office, owing to the report that Mr. Uniacke, of Nova Scotia, had been appointed attorney-general in the place of chief justice Sewell, lately raised to the bench. He had no official notification of the fact, but he had received so positive a letter from that gentleman's father on the subject, that he

* Thirty-five years afterwards sir John Beverley Robinson wrote of him, "Any one who can speak from memory of the early days of Kingston will tell you how much, and how sincerely Dr. Stuart was loved and respected by every one."

could not doubt it. In such case he would name Mr. Bowen as solicitor-general. Craig pointed out that, unless the person holding the office was a perfect master of French, and intimately versed in the laws of the country, possessing likewise a knowledge of the customs and manners of the French Canadians, he would experience great difficulty in the discharge of his duty. The reply was the approval of Stuart's dismissal, and the confirmation of the appointments of Uniacke and of Bowen.*

Uniacke, on assuming the duties of his office, shewed such incapacity that Craig, in May, 1810, asked from the chief justices and puisne judges of the king's bench in Quebec and Montreal a report upon his fitness. Sewell, Williams, de Bonne and Kerr reported his knowledge of criminal law to be superficial; that he possessed slender acquaintance with French; that he knew little of civil law; and that they did not consider him qualified for his office. Monk, Panet and Ogden stated that they had barely had a chance to judge of his qualifications, but they did not think he came up to what the attorney-general should be. On receiving these reports, Craig wrote to lord Liverpool that Uniacke had brought matters to such a stand-still, that it had been determined to suspend him. To avoid unpleasantness, he had desired him to ask for leave of absence to proceed to England, and Craig asked that he should be removed from his office. In the meantime he had appointed Bowen, whom he had recommended for the position.† Craig received for reply that, under the circumstances of Mr. Uniacke's leave of absence, Mr. Bowen's appointment *ad interim* was approved.‡

In the early days of his government, in 1808, Craig expresses some doubt whether Upper Canada could be successfully defended. This view was partaken by Gore, the lieu-

* [Can. Arch., Q. 109, p. 217, 7th Sept., 1809.]

† Can. Arch., Q. 112, pp. 229, 234, 231, 224, May 12th, 21st; June 3rd.

‡ Ryland, in December, 1810, in a letter to Craig, mentions that he met Uniacke at dinner. "The latter," he says, "evidently avoided speaking to me, and his whole conduct convinces me that communications have been made . . . of all that has been said concerning him."

tenant-governor, who, as the probability of war became more assured, applied for leave of absence; and in September, 1811, Brock was appointed to act in Upper Canada. Craig declared the preservation of Quebec to be the principal consideration to which all others must be subordinate; and, that it would be vain to make any effectual defence of the upper country unless powerful reinforcements were sent. In the summer of 1808 he had received a letter from lord Castlereagh, to the effect that the refusal of Napoleon to modify his decrees had diminished the probability of war with the United States, but did not warrant the suspension of the measures of precaution. There was at the time so small a force in the country, that Craig could not but feel how difficult the defence of the province would prove. In February, 1809, Craig specified the military strength he held to be essential, by asking for a reinforcement of 12,000 troops, with the necessary camp equipage; 2,000 to be stationed in the citadel of Quebec; 2,000 in Upper Canada; thus constituting an active force in the field of 8,000 men, to be moved as the exigencies of the situation might demand. The possession of Quebec, he said, would always leave the door open by which we would be able to recover the province, although it afforded no security against its loss. The province was without defences. Those of île-aux-Noix and Saint John's were no longer in existence. Chambly was defensible against musketry alone. The militia would prove reliable only when supported by the regular force. He asked likewise for three additional companies of artillery; and for a frigate, with three or four small vessels, gun-boats with long guns. The force specified was the least possible with reasonable hope of avoiding failure. His exertions had constantly been directed to prevent rupture between the Indians and the United States. The Indians had learned the unsettled condition of the relations between the two countries, and had proffered themselves for the king's service, either for peace or war. They complained that they had been trampled upon by the United States, and were prepared to attack them in vindication of their own asserted rights. In December, 1807, a proclamation

had been issued from Detroit, threatening the most severe retaliation on their wives and children, should they join the British. Red Jacket, a Seneca Indian, had passed among them to influence them in favour of the United States. He was badly received. Craig, upon every consideration, thought it was sound policy to prevent any hostile operations on the part of the Indians, for such a contest would entail on the province much that was injurious. It would, moreover, give rise to the suspicion that the movement had been fomented in Canada, and the probability was that the provinces would be drawn within its operations. The attempt of Red Jacket to seduce the Canadian Indians to the side of the States had entirely failed; he himself had been so personally threatened, as to lead to his flight. As there were indications that the tribes had determined to enter upon hostilities to satisfy their strong feeling of hate and discontent, Craig felt it his duty, in the desire of preventing the horrors of an Indian war, to communicate with the British *charge d'affaires* at Washington, Mr. Morier, giving him authority verbally to inform the United States of what was taking place, and to give warning that this hostile feeling would be actively shewn if measures were not taken to meet the emergency. The proceeding was reported to lord Liverpool.* Nevertheless, it was continually asserted by United States politicians that the intrigues of the British authorities had fomented the war on the part of the north-western Indians; and, in the debates which led to the war of 1812, it was claimed that war had already commenced by what is still called the battle of Tippecanoe.

This affair took place on the 7th of November, 1811. Harrison, with a force variously estimated, but which modern authority places at about 1,100 men, had advanced from Vincennes into the heart of the Indian country. He had established himself in a camp, which he had in no way fortified. He was attacked in the early morning, and was completely surprised; indeed, he had great difficulty in extricating him-

* Can. Arch., Q. 114, p. 63, Craig to Liverpool, 29th March, 1811. Ib., p. 105, 21st May, 1811.

self from his dangerous position. His loss was 61 killed and 127 wounded. The bodies of 38 Indians remained on the field. Tecumseh was not present in the action. Harrison estimated that the attacking force numbered 600. It is now considered that they did not exceed 400. Finding the strength of the United States so much in excess of their own, the Indians after the attack retreated in all directions. On the 8th the mounted riflemen entered the Indian town of Tippecanoe, which had been abandoned. Taking from the place all the supplies that could be obtained, the riflemen set it on fire and destroyed it, with all that could not be carried away. The event was magnified into an important victory. It furnished topics of declamation to awaken feelings of enmity to Great Britain ; as it took place at a crisis of affairs when it was questionable if hostilities would meet public support, it was made to furnish a strong argument why war should be declared.

It was at this date that Craig wrote that the total failure of his health would force him to leave Canada at the first opportunity, although he had not received authority for the transfer of the government. His inclination was to appoint sir Gordon Drummond, then in command of the troops, as the administrator, but he did not consider that his authority warranted him in so doing. He therefore nominated Mr. Dunn to act until the arrival of sir George Prevost from Nova Scotia.

Craig left Canada on the 19th of June, 1811, by the "Amelia" frigate. The embarkation took place at three o'clock in the afternoon. The streets were lined with the troops of the garrison on the half-mile of roadway extending from the *chateau* to the wharf. When the carriage was brought to the door and Craig appeared, a number of the inhabitants with yellow cockades in their hats, which was the colour Craig affected, removed the horses from the carriage to draw him over the few rods of Canadian ground he was to traverse for the last time. As he passed the several regiments, the bands played their regimental marches as a fare-

well, and the troops presented arms. He was received by captain Irby and the officers of the "Amelia." As he was rowed to the frigate, the yards were manned. All the shipping displayed their colours ; a salute of nineteen guns was fired from the grand battery, and the frigate gave the usual salute, repeated by the one transport vessel present. The progress to the wharf had been as it were one continual cheer. It was the sole occasion during Craig's stay in Canada that he shewed any emotion. But he was much touched by this universal testimony of respect shewn to him. He could only silently take farewell of those he was leaving, and the look of pride and dignity, which he had acquired by his long and successful command, was subdued by that touch of nature which makes the whole world kin. Craig knew well that he was going home to die. He had remained at his post to the last hour. He died the following January at the age of sixty-two.

It is not warrantable to judge Craig by the modern theories of colonial government, for as they prevail to-day they were then unknown. On all sides there was error ; and the criticism which condemns Craig cannot spare the majority of the house of assembly. This can, however, be said for Craig, that his policy was a matter of faith ; he believed thoroughly in the system he enforced. His truth has never been doubted. Those, who have written hostilely of his proceedings, admit his personal popularity, owing to the great qualities he possessed. The possibility of war with the United States added to this feeling, for his service as a distinguished soldier was everywhere recognised ; and it was remembered that he commanded the advance guard of Carleton's force, when the congress troops were driven from the province in 1776. His very presence exacted respect. It was early seen that his nature was singularly straightforward and honest. Thus, in spite of his self-assertion, not always wisely exercised, he commanded the public esteem, and he still remains no unpleasing portrait in Canadian history, even when it is recognised that his theories of government were untenable, and

that they aimed at the establishment of a political system that never would have been tolerated, and, if submitted to, would have retarded the advance of the province.

In spite however of the political difficulties I have recorded, Canada was prosperous during Craig's government. The embargo of Jefferson, which caused direct and open communication with Canada to cease, led to an indirect trade with the British provinces. In order to avoid the embargo, Eastport, in Maine, had become a storehouse for produce, which was smuggled over the frontier to be sent to the West Indies and Halifax. An extensive trade was also carried on by lake Champlain and the Saint Lawrence. To stop this commerce from Vermont and New York, new regulations were introduced. Inland craft were required to clear, as if they were sea-going vessels ; to produce manifests of their cargoes, and to furnish positive proof that they would be landed in the United States. Any large collection of provisions could be seized, and held until bonds were given that no portion of the quantity stored would be carried out of the country. Collectors were instructed not to give clearance to suspicious vessels. The trade, however, by no means ceased. But the influence which acted most favourably in the provinces was, that the population was awakened to the necessity of exertion in fields of labour hitherto but little cultivated. Canada was thus thrown upon her own resources ; her population met the emergency with energy and judgment. Much of the lumber had been previously received from Vermont ; attention was now turned to its production in the province. In this effort, they were further incited by the impediments which the condition of Europe had created in obtaining supplies from the Baltic. At this date the "lumber trade" in Canada, from these influences, first began to attain due importance, and to be conducted with the activity by which so many fortunes have been made. Much of the enterprise of the country had hitherto been confined to the fur trade with the Indians in the far north-west ; but the lumber trade now became more profitable, and, it is no exaggeration to add, immensely increased.

The consequence was a multiplied importation of British manufactures; and several of the minor auxiliaries to material comfort, for the first time, entered many a household where they were previously unknown.

In order to bring the eastern townships, then being settled, in connection with Quebec, Craig constructed a road from the seigniory of Saint Giles to the township of Shipton, commencing at the termination of the road running south from the Saint Lawrence, some fifteen miles west of Quebec. The new line of communication was carried to the Saint Francis, to connect with the road opened to the boundary line. This road had been traced out in 1800, and some work had been commenced in 1805, but it had then ceased. Craig undertook its completion by military labour, building the necessary bridges and forming the road-bed. Sir James Kempt, afterwards governor-general, at the time quartermaster-general, took a leading part in its construction with 180 men. Craig saw the necessity of the project, if only to make provisions plentiful in Quebec, and to reduce the cost of them. He also correctly estimated its importance in bringing the population of the townships more directly in relationship with the city. The consequence was that beef fell from $7\frac{1}{2}d.$ to $4\frac{1}{2}d.$ a pound, and the contractors agreed to furnish supplies to the troops for $3\frac{1}{4}d.$ The meat, too, was pronounced to be "incomparably better." *

One of the great events of Craig's government was the introduction of steam navigation on the Saint Lawrence, through the energy of John Molson, the founder of the Montreal family of that name. The first steamer, "the Accommodation," with ten passengers, arrived at Quebec on Saturday, the 4th of November, 1809. She was the object of great attention, as the account sets forth, "being crowded

* Craig to Ryland, 10th Sept., 1810. Christie, VI., p. 157. Craig wrote at this time "that the agriculture of the province, instead of being, with that of all the world, in a progress of improvement, is, on the contrary, going backwards and yearly becoming less and less productive."

with visitors." She moved at the rate of four miles an hour, having berths for twenty passengers. She was a paddle steamer, 95 feet on the keel and 85 feet in deck. The cost of a passage was \$9 up and \$8 down, including meals during the journey.

The success of this effort in the development of steam navigation at this early date establishes the right of John Molson to be regarded as a leading pioneer in bringing the marine engine to perfection, while it entitles Canada to a position of the highest rank in the history of practical science.

**JOHN MOLSON, THE PROJECTOR OF THE FIRST STEAMER ON
THE ST. LAWRENCE: THE "ACCOMMODATION."**

While British and United States writers are lavish in praise of Fulton, and the river Hudson is named as the nursery of steam navigation, the name of John Molson, who introduced the first steamer on the Saint Lawrence is scarcely ever heard; nor is the claim of the great river itself recognized as having been the scene of these early efforts. On the contrary, the introduction of steam navigation into Canada has been erroneously included among the triumphs of Fulton.*

John Molson was an Englishman, of a good Lincolnshire family. For a century and a half before he perfected steam navigation on the Saint Lawrence the family had ranked as county gentry. The fact is recorded on the tombstones of the four preceding generations in the churchyard of Moulton, five miles from Spalding. In 1782, when eighteen years of age, he arrived in Montreal, the population of which at that date was about 6,000. Forming the opinion that the country presented an excellent field for enterprise, on his return to England he raised a sum of money on his hereditary property, Snake Hall, and a property at Moulton, and commenced the construction of a brewery in Montreal. The expenditure, however, exceeded his expectations, so he obtained a second amount. Even that was insufficient, and, finding he required a larger sum, he sold his estate, and completed the brewery, which still exists.

In August, 1807, Fulton launched the "Clermont" on the Hudson, but he was not the inventor of the marine engine, nor was he even the first to utilize the steam engine to this purpose, as has so often been claimed for him. Fulton commenced life as an artist, and was a miniature painter in Philadelphia. West's success in England led Fulton to leave the United States, and he became a student with West. Circumstances having brought him to the notice of the duke of Bridgewater, he assumed the calling of civil engineer. In this position he made many experiments with steam in the application to navigation: an effort in which he was subsequently assisted by Livingston, of New York, then in Paris, engaged in the negotiations which ended in the cession of Louisiana by Napoleon to the United States. In 1803 Fulton launched a boat on the Seine which sank from the weight of the machinery.

The inventor of the application of steam to a marine engine was William Symington, who, in 1788, first constructed such a vessel on lake Dalswinter, Dumfriesshire. In 1801-2 he completed for Thomas lord Dundas of Herse, a vessel for towing on the Forth and Clyde canal, the "Charlotte Dundas." Fulton obtained drawings of the machinery, and these drawings furnished him the plan of the "Clermont." The engines were constructed by Boulton and Watt, and it is not possible to suppose otherwise than that the practical knowledge of the firm was advantageously enlisted in perfecting the machinery.

It was the "Clermont," so constructed, which first navigated the Hudson in 1807. While Fulton attained wealth and honour, Symington died a pauper.

* Hildreth's history of the United States, Vol. VI., p. 205, 1810. "There were already four (steamboats) employed on the Hudson, and three more on the Delaware, lake Champlain and the *St. Lawrence*."

It is to be presumed that the success of Fulton on the Hudson suggested the enterprise to Molson. He designed the "Accommodation." The hull of the vessel was constructed on the river bank at the back of Molson's brewery, Montreal, and was launched broadside into the river. Her engines, like those of the "Clermont," were constructed at the Soho works of Boulton and Watt. The undertaking was not a financial success, causing to Mr. Molson a loss of £3,000, a large sum at that time. But Molson persevered, and subsequently built the "Swiftsure," "Malsham," "Lady Sherbrooke" and "John Molson," and other vessels, in which he was successful. These steamboats were a powerful factor during the war of 1812, in forwarding troops and stores up the Saint Lawrence to Montreal, and it is scarcely possible to determine the extent to which they influenced the contest.

The "Accommodation," as has been said, made the first trip in November, 1809. In the following years, 1811, 1812, the vessels of larger tonnage followed.

It is a gross act of injustice in the history of the marine steam engine to omit the name of John Molson, for the originality of his mind was directed to its improvement and adaptability, although no narrative exists of the form these efforts took: nor can I learn that there is any record of failure in any attempt on his part.

The enterprise of Molson has not only brought fame upon himself, but it adds an additional dignity to the escutcheon of the province, that at this date the Saint Lawrence should have been the scene of this essay of steam navigation, an application of science that has affected the whole course of civilized life. No public memorial of Molson bears testimony to the bold attempt which courage and determination only could conceive. Surely some public testimonial should be raised to his memory in the city which was the scene of his labours, the prosperity of which owes so much to his sagacity and enterprise. Mr. Molson died in 1836, in his 73rd year.

At this time he was a member of the executive council of Lower Canada and president of the Montreal bank.

CHAPTER V.

The lieutenant-governor of Upper Canada who, in 1806, replaced lieutenant-governor Hunter, Mr. Francis Gore, was still a young man, having been born at Blackheath, in Kent, in 1769. The Gores were a branch of the family of the earls of Arran; the elder Gore had been selected by George III. in 1761 to act as aide-de-camp, in the campaign in Portugal, to the duke of Mecklenburg-Strelitz, brother to queen Charlotte. His performance of this duty was so satisfactory that in 1763 he was appointed lieutenant-governor of Bermuda. His wife was a Beresford. Young Gore, from a school at Durham, entered the army, the 44th regiment, in 1787, when eighteen. The regiment was quartered in Jersey and Guernsey, and it was at this period of his life he first met Brock, with whom in after years he was associated, and by whom he was succeeded in his government. In September, 1793, he obtained a lieutenancy in an independent company, whence in a few months he was transferred to the 54th. He saw some service on the continent in 1794. In 1795, then a captain in what is now the 17th lancers, he accompanied as aide-de-camp to Ireland lord Camden, who had been appointed lord-lieutenant to carry out the policy of conciliation, in a short time so abruptly abandoned. On Camden's resignation, Gore left with him. In 1799 he obtained the rank of major. After the peace of Amiens in 1802, he retired in July of that year from the army.

On the breaking out of hostilities in 1803, with the temporary rank of lieutenant-colonel, Gore was appointed inspecting field officer of volunteers. In this year he married Annabella, sister of sir Charles Wentworth.* The marriage was a happy one; there were no children, his wife died in 1838. Gore shewed so much zeal and capacity in the performance of the

* The portrait of this lady remains in Canada with the Givens family.

duties assigned him, sustained also by the influence of lord Camden, that in 1804 in succession to brigadier Beckwith, he was selected by Pitt for the government of Bermuda. In the note of the acceptance of the appointment George III. made a kindly allusion to the services of his father. In 1806 Gore, having been appointed lieutenant-governor of Upper Canada, came direct from Bermuda, receiving an allowance of £100 for travelling expenses.*

Gore's government was subjected to much embarrassment, caused by a clique of men who, working in common for their own advantage, assumed the character of acting in the public interest. The principal member was Mr. justice Thorpe ; the secondary personages were Weekes, a barrister, the member for York ; Wyatt, the surveyor-general ; and Willcocks, the sheriff of York. Thorpe has been mentioned by many writers as having been actuated by public spirit, and as having been sacrificed to the interests of the officials known as the "Family Compact." Whenever that so-called party took its rise, in 1807 nothing of the kind existed. Its commencement may perhaps be dated about 1820, shortly after the nomination of bishop Strachan as an executive councillor, when, with chief justice Powell, they became the leading personages

* After his withdrawal from the government of Upper Canada, through the influence of lord Camden, Gore was appointed in 1818 deputy-teller of the exchequer, a position he held until it ceased to exist in lord Grey's administration of 1830. Gore retired on a pension, and became an active member of the managing committee of the Athenæum club. He was one of the group of men renowned for wit and brilliant conversation, prominent among whom was Theodore Hook. During the last years of his life he was a sufferer from acute disease. He lost the use of his lower limbs, his disease terminating with dropsy ; he died the 3rd November, 1852, in his eighty-fourth year.

Gore's parentage and life have hitherto been unknown in our history. His personality has been little more than a myth. All that has been stated concerning him has been the fact of his governorship. The mention made of Gore has been most unjust, both as to the character of his government, and his ability and temper. The account I follow is that written shortly after his death in Fraser's Magazine, Vol. 47, January to June, 1853 [pp. 627-638]. I have to acknowledge my obligations to Mr. Bain, the well-known librarian, of Toronto, who directed my attention to the narrative ; one of the many acts of kindness for which I am indebted to him.

in the province. Mr. Thorpe's difficulties with the executive arose purely from his intriguing spirit. We have his letters, written to Mr. Cooke, of the secretary of state's department, in which we can trace his career and the motives by which he was actuated. The ground for the favourable opinion expressed with regard to Thorpe is attributable to Gourlay : an evidence by no means admissible, for his own grievances coloured all he wrote, and he did not arrive in Canada until some ten years later.

Mr. Thorpe was an Irishman by birth, and enjoyed the patronage of lord Castlereagh. He had held the office of chief justice of Prince Edward island, but, owing to some difficulty, had been removed. Thorpe, appointed judge of the king's bench in Upper Canada, took his seat for the first time on the 24th of January, 1805. Grant shortly afterwards, on the death of Hunter, had been chosen by the vote of the council as administrator. It was during his short administration that the difficulty as to an expenditure, unauthorized by the house, occurred ;* a difficulty in which Thorpe's letters shew he took part,† and which he claims to have controlled.

It must be remembered that Simcoe reached Kingston only in July, 1792, when the political organization of Upper Canada was effected. The first parliament assembled in September of that year, some few months more than fourteen years before Thorpe complained, in 1806, that nothing had been done for the colony, no post, no religion, no morals, no education, no trade, no agriculture, no industry attended to.‡ The accusation is to be found in a private letter to Cooke, written shortly after his arrival. He proceeded to say that he would cultivate all that was deserving, or that can be made useful, by

* Ante, VII., p. 523 *et ult.*

† Dr. Brymner, in the Archive report of 1892, note D, has collected from records the several letters bearing upon "The political state of Upper Canada in 1806," a matter of labour and of great utility ; for these letters furnish the evidence by which the actors in the drama of the time can be judged. The authority for the statements made in the text are referable to the calendar of this report.

‡ [Can. Arch., Q. 305, p. 86, judge Thorpe to Edward Cooke, under-secretary, 24th January, 1806.]

which means, he added, "I now pledge myself to you that whoever comes out shall find everything smooth, and that in twelve months or less I will be ready to carry out any measure you may desire through the Legislature. All this I state on the supposition that L^d. Castlereagh will not be induced to place any one over me on the Bench." This was the whole burden of his correspondence, the claim to be made chief justice of Upper Canada.* He also professed to have made himself useful in interesting himself in the cultivation of hemp, and in the establishment of an agricultural and commercial society.

Gore arrived in Toronto on the 23rd of August, 1806, and assumed the government on the 25th. He received an address of welcome, to which he briefly replied. One of his first experiences was the political address of the grand jury to Thorpe, in which mention was made of proceedings "invasive of the privileges of the subject." Thorpe replied, "That the act of governing was a difficult science: when there was neither talent, education, information, nor even manner in the administration, little could be expected." The juries of the western and Niagara districts gave similar addresses, and Thorpe replied from the bench in language shewing his desire to be considered the champion of popular rights. Such was the irregularity of the conduct of Thorpe in his judicial capacity, that Gore, within three months of his arrival, brought the matter to the notice of the home government. He pointed out that Thorpe had not been in the country twelve months, and that he had only once met general Hunter at Quebec shortly before his death, and could have no personal knowledge of the matters he was discussing. No complaints had reached him as governor of the existence of such grievances, and he was not aware that any existed.

Thorpe shortly afterwards became a member of the legislature through the death of a Mr. Weekes, who had been his

* Arch. report, 1892, p. 39. I may refer to Thorpe's letter to lord Castlereagh, 4th March, 1806, p. 40; to Cooke, 5th March, 1806; to Adam Gordon, 2nd April, 1806; to sir George Shee, 1st of December, 1806.

intimate friend. Weekes had been a law student in Ireland. Finally he had reached New York, where he had become one of the supporters of Aaron Burr. He had found his way to Canada, and had, by the exercise of some influence, been admitted a barrister. By the help of Willcocks, the sheriff, and by the parade of extreme deference to the constituency, he had been elected to the house. The sheriff, Willcocks, had been a United Irishman in Ireland ; consequently, he had arrived in Canada with views hostile to the government, and with the experience in the arts of the demagogue which he had not allowed to remain idle in the United States. On his first appearance in the province, he kept these opinions in subjection, and had made himself useful to chief justice Alcock, who gave him the appointment he held. The position enabled him to serve those who professed his opinions, and he had exercised his influence to return Weekes as the member for York.

Weekes appeared as a counsel at Niagara, when Thorpe presided. Abandoning the merits of his cause, he attacked the whole government of the province. General Hunter he described as a "Gothic barbarian whom the providence of God had removed from the world for his tyranny and iniquity." Chief justice Alcock and several of the most respected persons in the province were assailed, in most offensive language. Judge Thorpe listened with complete apathy. The previous day he had requested the early attendance of Robert Hamilton, one of those who sat with him on the bench, on the ground that an elaborate argument was to be given by Weekes. Hamilton formed the opinion that the argument was "elaborate only in malice and misrepresentation, that the judge had been previously informed what it would be, and the address had been made, not without his consent."

Dickson, the counsel retained on the same side with Weekes, did not allow the occasion to pass without animadversion. He condemned the use of such language in a court of justice, tracing its origin to the rancour in the speaker's own mind, and to his malevolence. This incident took place

on the Monday ; no notice was taken of the matter on the following day. Weekes made an excursion into the country ; he passed the evening and part of the night at a tavern with Thorpe and others of the set ; and it was believed that owing to what took place at this meeting Weekes sent a challenge to Dickson. No reasonable explanation would be accepted by him. The meeting took place across the lines, and Weekes was shot dead, or died soon after he was carried from the ground.

It was the vacancy caused by Weekes' death that Thorpe desired to fill, in which he was aided by Willcocks. Thorpe, then a judge of the king's bench, was proposed as a proper person to succeed Weekes, as having given the most solemn assurances he would pursue the same line of conduct as his predecessor. On the opening of the poll Thorpe invoked the shade of Weekes as "looking down from heaven with pleasure on their exertions in the cause of liberty." One of the flags used was a harp without a crown. At the close of the poll he made an address, telling the people they did not know their value to Great Britain, that there was nothing to prevent their meeting, for the writ of habeas corpus had not been suspended in the province. He spoke also of the separation of the United States from Great Britain, conveying the idea that, when the country saw fit, it also could render itself independent.

Previous to the election, Gore had remonstrated with Thorpe on the impropriety of a judge seeking a seat in the popular house of assembly, and pointed out, that, if the proceeding was objectionable as an abstract principle, it was the more so under the circumstances in which he came forward as a candidate. Thorpe appears to have listened to these objections, but in no way to have been influenced by them ; he persevered in his effort for election.

From this election arose the difficulty with Wyatt, the surveyor-general. He was an Irishman, also under the protection of lord Castlereagh, who had shewed great friendliness to him. That Castlereagh should have sustained Gore in

the suspension of Wyatt is a proof of his recognition of its justice. In a previous session, during the debates relative to land, which had been conducted with acrimony, Wyatt had produced his official records without permission of the governor and the executive council, asserting that in the discharge of his duty he was responsible to the house only. Although an officer of the crown, he openly took part in the agitation of Willcocks and Thorpe. His brother was private secretary to sir Arthur Wellesley, afterwards duke of Wellington, then secretary for Ireland. In his letters he affirmed that he could count upon the support of the Wellesley family, with that of lord Castlereagh. Wyatt was one of the many instances of men who miscalculate their influence, and misunderstand their position. Such as these, in their vanity, often assume a power they do not possess, either by *status* or ability, and in these cases, from their inferior capacity, often strangely commit themselves.

The opponent of Thorpe at the election was a Mr. Gough. Ridout, the chief clerk in Wyatt's department, had voted for him against Thorpe. The following morning Wyatt dismissed him, and it was the general belief that it was because of the vote so given. Wyatt notified Ridout that his services would terminate at the end of the half year, and reported the matter to the council, recommending some consequent promotions. The council reported that Wyatt's views could not be entertained; that Ridout could only be removed by order of the lieutenant-governor, and Wyatt was called upon to explain the course taken by him. Wyatt replied by submitting a copy of his commission, by which he claimed that he had power to conduct the business of his department without interference. Gore consequently wrote officially to Wyatt, instructing him, that Ridout must be continued in his position, and, if there were charges against him, that they should be made in writing. The matter was referred to the solicitor-general, who reported that Wyatt's powers were restricted, and that the appointments in his office should be made by the crown. Nevertheless, Wyatt persevered in his contention, that he would not con-

tinue Ridout in his office. The council, consequently, officially dealt with Wyatt's proceeding, and passed a resolution that he had acted in "direct disobedience to a positive order," that he had no authority to dismiss clerks from his office, and the present occasion was one in which the governor should exercise his power. Even at this date, the door was opened to Wyatt to retrace his steps. Small, the clerk of the executive council, was sent to confer with him, but he refused "to make any concession." He was consequently suspended, and Ridout reinstated.*

Wyatt proceeded to England. He passed through New York, where he publicly stated that, owing to the tyranny and oppression of the government, the province was on the eve of a revolt. On his arrival in England, he trusted much to the influence of his brother, who was enabled to have interviews with Castlereagh, then secretary of state. Wyatt also dwelt upon his father's intimacy with the duke of Portland. He described his influence as extending to the appointment of the attorney-general in Upper Canada, and he wrote that in the establishment of a court of equity in the province, he would be able to consult Thorpe's interest.

The charges upon which Wyatt had been suspended were furnished him. They were : the production of the books of his office to parliament without authority ; his persistence in the dismissal of Ridout ; his known connection with persons disaffected to the government, encouraging discontent and bad feeling. There was a fourth charge : that he had fraudulently erased the name of a holder of a patent, for the purpose of obtaining possession of the land.† It may briefly be said that he admitted having erased the name of Shubel Walton on the testimony of his clerk, Mr. Ridout, that, as no such person existed, there was no legal impediment to his doing so, and he had the official authority of the administrator for the

* Can. Arch., Q. 306, pp. 2-25, Nov., 1806—January, 1807.

† Mr. Wyatt's explanation is given in full at page 125 of Dr. Brymner's report, 1892. I am unable to include it from its length; moreover all interest in the subject has long since passed away.

proceeding. The matter was brought to a climax by a letter from Wyatt asking payment of his salary. Lord Castlereagh replied that the erasure of the name, and the substitution of his own, appeared to have been satisfactorily explained, but the papers had to be transmitted to lieutenant-governor Gore. "With regard to the salary, he could not be considered entitled to any when under suspension, and lord Castlereagh did not find himself at liberty to direct his restoration." The proceeding was the subject of a report of the executive council, which was not favourable to Wyatt having taken possession of the property.*

I have mentioned the name of Joseph Willcocks, sheriff of the Home district. He had been the friend of Weekes, and had become a perfect instrument in the hands of Thorpe to make himself remarkable by factious and mischievous activity. His constant theme was the tyranny and oppression of the government, and he continually asserted that, from the

* Can. Arch., Q. 311.1, pp. 68-131, 19th March, 1808.

Wyatt, in July, 1816, brought an action against Gore for libel. The proceedings are given in Holt's *Nisi Prius cases*, 1815, 1817, [p. 299.] There is an account of the trial, by one who was present, in a pamphlet of 23 pages. "A letter on Canada in 1806 and 1807, during the administration of governor Gore. For private circulation, 1853." It has been attributed to chief justice Macaulay. It was in Holt's report that Upper Canada is mentioned as "an island." A pamphlet had been written by a captain Grey, of Montreal, without the least personal motive, in vindication of the government, and was published two years after Wyatt had left Canada. A commission was sent out to the province to examine witnesses, to prove that the pamphlet had been circulated in Toronto by the governor. Several persons were examined, including the members of the executive council. They all swore that they had received no copy from the governor, and that they had not seen a copy in his possession. Failing to obtain the evidence required in the province, Firth, who had been attorney-general and who from difficulties with the government had been removed from his position, was called as a witness. Gore's counsel objected to his evidence; the plaintiffs' counsel replied, if the communication was in course of his office, and related to the internal affairs of the province, the witness would be privileged, but a governor had no greater right to libel an individual before his attorney general, than to any other man. The chief justice intervened by the remark, that the witness was not bound to answer and in delicacy would not answer. What passed between the governor and a high legal officer was confidential. Firth however was there to give his evidence to Gore's injury, and he stated that copies from Montreal having been received by Gore for distribution, he had been sent

destruction of their rights and liberties, the people were ripe for resistance. Even in modern times, no such behaviour by a recalcitrant official would be tolerated. The right of private opinion, however freely conceded, does not include the use of an official position for the dissemination of treason and sedition. It was for his seditious conduct in this respect that Willcocks was removed from his position, in the words of Gore, for his "general and notorious bad character"—"as a turbulent Irishman."

Willcocks' name calls for little mention, except from the attempt of some writers to establish that he was a sufferer, owing to his efforts to obtain liberal institutions. I can see no ground for any such belief. In August, 1807, the second paper published in Upper Canada, *The Upper Canada Guardian or Freeman's Journal*, was started under his name. There cannot, however, be a doubt that while Thorpe was in the country he was the principal personage concerned in it. The paper, it would seem, in the first instance was not printed in Canada, but in the state of New York, and sent across the

for, and the pamphlet had been placed in his hands in the govenor's library. He recommended the governor to have no hand in its circulation, and he believed no copy was circulated. Firth, however, said he did not consider the conversation confidential, as nothing was said of secrecy.*

Thorpe, who was in England, was examined as a witness unfavourable to Gore. He affected ignorance of all that had taken place in Upper Canada in 1807, stating that it was impossible he could have had anything to do with such matters, for he was then a judge. Sir Vicary Gibbs, the chief justice, who had been attorney-general at the time of these events recollecting Thorpe's history, said, "You have told me that you were a judge in Upper Canada, are you still in that office and on leave?" "No, my lord," was the reply, "I was suspended." "How did that occur?" asked the judge. "I was suspended to be promoted." "I do not understand you," said the judge. "All that I can say is," replied Thorpe, "that I was suspended by lord Castlereagh when I got to England, that I was recalled in order to be promoted. I was a puisne judge in Canada, and soon afterwards became chief justice of Sierra Leone." The counsel for Wyatt managed the case with great ability, and addressed the jury to awaken their patriotic feeling against "this most extraordinary governor." The verdict was £300 against Gore. The expenses were, however, paid by the government.

* In Roscoe's *Nisi Prius*, p. 299. The case of Wyatt *vs.* Gore is given to shew in what cases a communication is not privileged.

lines. Bennett, the publisher of the paper in Niagara, felt constrained to state publicly that he had no connection with the *Guardian* executed in the United States.* The belief is likewise justified that this paper was sustained by funds found in New York, with the design of creating discontent in the Canadian population, and thus preparing them for annexation. It was subsequently widely circulated, and so continued to the outbreak of the war. Not a single copy, that I can learn, has been preserved ; the extracts sent by Gore to London alone remain. They shew that the paper was printed in 1816.† Chief justice Powell in 1809 found the *Guardian* in every house, its columns assuring the people that they were oppressed and ill-used.‡ Where did the money come from in support of the *Guardian*? Gore conceived that it was furnished from the city of New York. Willcocks had no means. Thorpe left Canada in debt. Wyatt ceased to have interest in the province after his suspension. Jackson made no mention of any kind of Willcocks, so help could not have come from him. The government received information that Willcocks, when in New York, had placed himself in relationship with the newspaper writers notorious for their hatred of everything British ; among them, with one Cheetham, of the *Citizen and Republican Watch-tower*. He likewise had renewed his relationship with the Hibernian society, the head of which was Emmett. Wyatt, in passing through New York on his way to England, had represented the people of Upper Canada to be on the verge of rebellion, ready to rise up, and seize the governor and officials obnoxious to them, and ship them off in irons, or "worse, if necessary." With the war party of the United States, the possession of Canada by conquest was one of the aspirations which aggravated their sentiment of hostility.

In 1808 Peter Russell died : he had been nominated a member of the council on the first organization of the

* Dr. Scadding gives the letter entire, p. 272. It is dated 20th June, 1807.

† Can. Arch., 312.1, pp. 331-426.

‡ [Can. Arch., 312.1, p. 237, 26th of September.]

province and had succeeded Simcoe as lieutenant-governor. He was buried with military honours, as an old officer: the garrison, under major Fuller, attending. The lieutenant-governor, with the principal personages of Toronto, were present; a funeral sermon was preached by the Rev. O'Kill Stewart.

The imprisonment of Willcocks has been represented as an instance of the malignity of Gore, exercised against an independent member of the legislature, who opposed his policy. It was a matter in which Gore was in no way concerned. Willcocks had been elected member of the constituency which included the west riding of York, the first riding of Lincoln and the county of Haldimand. On the meeting of the legislature in 1808 Willcocks, after the oaths were administered, took his seat on the 26th of January.* On the 30th † one of the members gave notice that he would move for a committee to take into consideration that part of a paragraph in the "Upper Canada Guardian" of the 1st of October last, relating to the house generally. It accused the members of having been bribed. The day was named for the investigation, and a copy of the paper sent to each member. But the charge was not pressed, it may be said, owing to the influence of Gore. In one of his letters to Cooke, he wrote that the house of assembly wished to pass a law to license the press, but he did not know if such a strong measure would be approved, and he had put a stop to it.‡

Willcocks, like many men in such circumstances, considered this forbearance to be a mark of weakness, and openly expressed himself offensively with regard to the members. He, however, miscalculated the consequences. On the 18th of February, Cowan, a member, brought before the house, that Willcocks had made use of language derogatory to the honour and integrity of the house, "nearly" in the words, "That the members of the house dared not proceed in the

* MS. copy of proceedings of session, 1808, p. 7.

† Ib., p. 167.

‡ L. Can. Arch., Q. 311.2, p. 53. York, 28th March, 1808.

prosecution they had commenced against him. He was sorry that they did not continue it. It would have given him an opportunity of proving that they had been bribed by general Hunter, and that he had a member of the house ready to come forward to give testimony to that effect."*

The house resolved itself into a committee of privilege and reported the expression to be "false, slanderous and highly derogatory to the dignity of the house." The speaker was authorised to send for witnesses to be examined at the bar. The following Saturday was appointed for Willcocks' trial, Willcocks himself moving that he be permitted to remain in his place and put the interrogatories he saw fit.

On the 20th of February the case was taken up.† The witnesses were examined by the house, and cross-examined by Willcocks, who produced testimony on his own behalf. It was unanimously resolved that Willcocks was guilty of the charge against him. He was placed in custody of the sergeant-at-arms, and by the speaker's warrant "committed to the common jail until discharged by the commons house of assembly." On the prorogation of the house on the 16th of March, the motion was carried that he should be discharged. He thus remained in jail from the 20th of February to the 16th of March. There is no record that the proceeding was in any way resented by him.

The fate of Willcocks was to be killed in 1814 at the attack of fort Erie, in the uniform of a colonel of the United States service. The statement has been repeated by several writers that he was present and fought at Queenston. I can find no statement to warrant the assertion that he even held any commission in the militia. The attack was unlooked for, and only a few of the militia were on the ground. The evidence is in directly the contrary direction. The defeat of the United States troops at Queenston Heights took place on the 13th of October, 1812. There is authority for stating that after the evacuation of fort George by the British on the

* MS. copy proceedings session, 1808, p. 55.

† Ib., p. 59.

27th of May, 1813, only seven months later, Willcocks joined the congress forces with the brevet of major.*

Willcocks was simply a noisy agitator, with little education, without political knowledge, and with no defined policy in view, except to rise by notoriety to a profitable position. He gained his office of sheriff by his subservience to chief justice Alcock. Dazzled by Thorpe's showy qualities, and his recklessness which Willcocks mistook for energy, he conceived the possibility of attaining distinction by Thorpe's aid. His relations with New York, by which it is believed his paper was subsidised, transformed him into a United States partisan. He laboured to revolutionize the country by constant misrepresentation of its institutions and government. His death, as a denationalized British subject who deserted his flag during war, was the infamous close of a disgraceful career.

Another person who took a prominent part in the agitation against Gore was one John Mills Jackson, an Englishman, whose proceedings attained some importance, owing to his brother having been member for Southampton. He had inherited property in Lower Canada, and had visited the province to obtain information concerning it. Reaching Upper Canada, he was so pleased with what he saw, that he resolved to acquire property there, and make the province his home. He relinquished his purpose, as he said, because neither his person nor his property was secure. With this feeling he published a volume in 1809.†

Jackson complains of the mode in which during the preceding administration grants of land had been obtained, the

* "A Geographical View of the British possessions in North America, etc., etc., with an Appendix containing a concise history of the war in Canada to the date of this volume," by D. Smith, Baltimore, 1814. It is difficult to explain the publication of this volume, except on the theory of giving information concerning provinces which the war party in the United States considered would infallibly be conquered! Smith tells us that he knew Willcocks, that he always held republican principles, and that his grand object in remaining in Canada so long was for the benefit of the people, etc. Smith is the authority for Willcocks having joined the United States force at fort George [p. 270].

† "A view of the political situation of the province of Upper Canada, in North America; in which her physical capacity is stated; the means of dimin-

abuses which had prevailed, and the exorbitant fees improperly exacted. He assailed the whole system of land grants ; he called in question the administration of justice ; and defended Thorpe, who he declared had been most unjustly treated by Gore. He dwelt upon the ruinous expenditure, and mismanagement of the public money. On these questions he appealed to the imperial parliament. His influence led to a member, Mr. Moore, making a motion on the subject : a proceeding, however, without result.

Gore replied * circumstantially to the assertions of Jackson, pointing out that charges supported by declamation were less susceptible of refutation, than those supported by evidence. They were generally directed to abuse of trust in granting waste lands, and to the administration of justice, with complaints against the conduct of the Indian department, and the whole system of government. The explanation with regard to the land was simple. An order-in-council had granted to every branch of the military service the same quantity of lands that had been allowed to settlers of the 84th regiment, and in 1789 it was directed that the children of U.E. loyalists, on coming of age, should receive a grant of 200 acres, free of expense : a regulation that was limited to those who were in the province at this date. In place of adhering to this provision, all who came into the province until 1798 had received such grants. In 1798 the grants were put an end to. General Hunter fell back on the original instructions, and would authorize no grants except under the conditions then laid down. Thorpe made it a cause of agitation that the new policy had been followed ; and called it an act of wrong, that the emigrants from Nova

ishing her burden, increasing her value and securing her connection to Great Britain are fully considered."

An answer to this publication immediately appeared, generally supposed to have been written by chief justice Powell : "Letters from an American Loyalist in Upper Canada to his friend in England on a pamphlet published by John Mills Jackson, Esquire, entitled 'A view of the Province of Upper Canada.'"

* This reply is found, Can. Arch., Q. 313.1, pp. 9 to 47, with a supplement extending to p. 198.

Scotia, who had received grants in that province and who had abandoned them, did not obtain a second grant in Canada.

The charge, that fees received on the part of the crown had been misappropriated, was met by reference to the public accounts, which shewed that they had been credited in the proper form, and accounted for.

The lands granted to the executive council had been made in accordance with the royal regulations; and on the subject of fees, the members of the council had been on the same footing as others to whom grants had been made.

The consequence was that Castlereagh applied to Gore to be furnished with the means of refuting the statements on which Mr. P. Moore's motion in the house of commons was based. . Gore's reply was set forth in the lengthy explanations referred to. Among the papers forwarded by him was the unanimous vote of the legislature,* to the effect that that pamphlet was false and scandalous, insolently assailing the government, the house of assembly, the courts of justice and the civil service, to excite the people to insurrection.

One of the strange circumstances of this vote is that Willcocks, who was present as a member, voted with the majority; at least there is no record of his dissent. Jackson in his book had made no comment upon Willcocks' dismissal from his office of sheriff. It is not impossible that, from this circumstance, Willcocks may have felt that he was not called upon to appear as the defender of Jackson.

With these preliminary explanations, Gore's government may be considered. Those who assailed it have received

* The following are the precise words of the resolution : "That the pamphlet entitled 'A view of the province of Upper Canada,' signed John Mills Jackson, contains a false, scandalous and seditious libel, comprising expressions of the most unexampled insolence and contumely towards His Majesty's Government of the Province, the grossest aspersions towards the House of Assembly, the Courts of Justice therein, and the officers of the civil establishment of the said Government, and most manifestly tending to alienate the affections of the people from His Majesty's Government of this Province, to withdraw them from their obedience to the laws of the country, and to incite them to insurrection."

[Can. Arch., Q. 313.1, p. 245, Gore to Castlereagh, 11th of March, 1809.]

attention to which they are in no way entitled. Thorpe, a man of education and talent, who might have been a useful public servant, had simply in view his own advantage. His object in the first instance was to be nominated chief justice of Upper Canada. Failing in his purpose, he resorted to the acts of a demagogue to obtain the power to be troublesome, so that it would be held necessary to quiet him by a lucrative office. It is difficult otherwise to account for his conduct. His position on the bench had placed him out of the domain of political life in Upper Canada, where English precedent had been established.

Appointed to the king's bench on the 24th of January, 1805, he had held his first court in March. In March of the following year, he was prominent in the proceedings of the house of assembly during the administration of Grant. His private letters from January, 1806, to the date of his recall, addressed to the under secretary of state, Cooke, shew the extent that his sentiment centred round self. There can be little doubt that he was the chief prompter in the agitation on the subject of money paid by the executive without the authority of parliament.* Gore in his first session, that of 1807, informed the house that the sum would be replaced in the provincial treasury. When the house passed a vote withdrawing its claim to the appropriation, the one dissentient voice was that of Thorpe. In March, Gore reported to Windham the line of conduct followed by him, unhesitatingly giving the opinion that if he retained his position in the province the most serious evils were to be apprehended. In June, 1807, lord Castlereagh wrote that Thorpe, having exceeded his duties as a judge by mixing in politics, and as his continuance in office would lead to the discredit and disservice of the government, should be suspended and a successor appointed. It was further intimated that Thorpe would be translated to another position.† The suspension of Wyatt was also confirmed.

* [£617 13*s.* 7*d.* Ante, VII., p. 523.]

† "It is by no means intended, nor, I am sure, is it your wish that this measure be extended beyond the limits of what is necessary for His Majesty's

Gore behaved even generously in the matter. At his request Mr. justice Powell had an interview with Thorpe, and told him that, when in London, he had heard from the assistant secretary of state of his suspension, and had conceived that it would be serviceable to him, to be made acquainted with the fact previous to its official notification. Powell likewise informed him that if before the fact were publicly known he would in confidence ask the governor for leave of absence, he would obtain it with means to carry him to Europe. Thorpe's pecuniary embarrassments were well known. After his departure, representations on the subject were made to the government by many of his creditors, on the ground that credit had been given him owing to his official position. Thorpe refused the offer, and left the province before the notice of suspension was given him, without the leave or knowledge of the governor. He published an address to the electors of York, the purport of which was, that, through misrepresentations of his conduct, the secretary of state had suspended him from his judicial functions. Though wretched even to agony while under the slightest imputation, yet their welfare and the prosperity of the province would animate his exertions. He left behind him the objects dearest to him in life, and hastened to defend his honour, but trusted his return would be as rapid as his departure was unexpected.

The theory of government entertained by those at the time who were endeavouring to create discontent would find no favour to-day. Moreover, the conditions of past and present colonial government are not identical. The revenue of the province was insufficient for its support, and there was an annual vote by the imperial house of commons to supplement its deficiencies. Thorpe's attempt was to increase the power of the legislature to an extent that even now would not be admitted. He claimed that the power of appointing trustees

service, and you will therefore intimate to Mr. Thorpe that I hope I may be enabled to recommend him to some other professional situation, under an assurance that he will confine himself to the duties of his profession hereafter, and abstain from engaging in Provincial Party." [sic] [Can. Arch. report, 1892, p. 81.]

to the public schools lay with the house of assembly, not with the lieutenant governor and council, and laid down the general principle, that it was the privilege of the house of assembly to nominate to office. He did not understand the doctrine of a responsible government; at least, he never advocated it. His effort was to make the house the sole depository of power, without the intervention of an executive. Thus, the clique of these political malcontents was more desirous of creating dissatisfaction than of obtaining redress of grievances by sound principles. There was no specification of a single political wrong from which the community suffered. The agitation was principally directed to work upon the feelings of the population that had crossed the lines, taught to believe in the efficacy of republican institutions, that they alone created prosperity; men who regarded the constitutional restraints recognized in Canada as an interference with the personal liberty of individual action, rejecting all consideration as to their political bearing upon the whole community.

Gore's government appears to have been conducted with moderation and justice, and in view of the public good. He was present at five sessions. A general election took place in 1808 for the fifth parliament, which assembled in 1809.*

He never shrank from responsibility, and never unnecessarily assumed it. In October, 1807, he received a despatch from admiral Berkeley to the effect that, from the advices he had received from Washington, there was every probability of war, and it was necessary to be prepared. Brock having declined to take the responsibility of acting in anticipation of hostilities, Gore reported to Castlereagh, that he had sent supplies to Amherstburg, and to Saint Joseph to sustain the

* The following are the dates of the meeting and prorogation :

1807	met	2nd February,	prorogued	12th March,	fourth parliament.
1808	"	20th January,	"	16th	" " "
1809	"	2nd February,	"	9th	" fifth "
1810	"	1st February,	"	12th	" " "
1811	"	1st February,	"	21st	" " "

Indians. In expectation of being called out by the British government, they had neglected their corn-fields. They had been restrained from aggressive proceedings by the intervention of Claus and the officers of the Indian department, and it was necessary to feed them. At this time there were not 400 troops in Upper Canada.

It was Gore that intervened in the proposed prosecution of Thorpe for libel, who had complained of his letters being opened at the post office, and had brought an accusation of malfeasance against the postmaster of the province. The proceedings against Thorpe, at Gore's request, were discontinued.

In the session of 1808 the number of members was increased by six. A militia law was also passed, including a clause which gave power to the administration to march the militia into Lower Canada, and even, if expedient, into the United States. The intent was not in view of an invasion of the United States, but, in event of war, to admit of the organization of expeditions to destroy the magazines of supplies, and to impede the storage of them.

In the autumn of 1807 the new attorney-general, sergeant Firth, arrived ; his appointment took place about June. The death of chief justice Alcock, which followed in February, 1808, gave an opportunity for a display of the feelings entertained by officials, sent out to the province from Downing street. The custom had been to translate the chief justice of Upper Canada to the same position in Lower Canada. It had been followed in the instance of the three previous incumbents, Osgoode, Elmsley, and Alcock. Scott, then chief justice of Upper Canada, on hearing of the vacancy, wrote, that in his appointment as attorney-general he had been led to expect the chief justiceship of Upper Canada, and afterwards of Lower Canada. The last named office was now vacant, but he had no desire to be nominated to it. He desired to retain his position in Upper Canada. Firth, who had been in the country but a few months, anticipating that the arrangement hitherto observed would be followed, applied for the chief justiceship. The appointment in Lower Canada of chief

justice Sewell furnished a settlement of the matter, independently of any demand of sergeant Firth.

The session of 1808 closed the fourth parliament, and the elections were held for the increase of members, which brought the number to twenty-four. To shew the folly of making a man a martyr, Mr. Willcocks was again elected, and served through that parliament and the succeeding one. In the record of 1814, on the call of the house on the 15th of February, his name appears as "deserted to enemy," in connection with one Abraham Marcle. Mr. Samuel Street was elected speaker.

In 1809 a violation of British territory by a small party of United States regular troops took place, marked by circumstances of cruelty rarely paralleled. The matter was brought by Gore to the notice of Erskine, then minister of war at Washington, and engaged with his treaty with Madison, which, owing to Erskine's departure from his instructions, was set aside by Canning. The British minister was at the time too busily engaged in his futile negotiations, to permit of their interruption by any unwelcome incident. The facts are that one Bennett, a captain of the 6th United States infantry, hearing that a deserter from his regiment was at Elizabeth-town, near Cornwall, determined to arrest him. Leaving Oswego in a schooner, and accompanied by a sergeant and two privates, he landed, and went directly to the spot where Isaac Underhill, the man in question, was engaged in keeping a school. He had evidently received precise information on the subject. None but the children were present. One of them, of age sufficient to give reliable evidence, testified that the soldiers entered, and, having bound their prisoner, forced him out of the building across the fields, pricking him with their bayonets to make him go forward. As the party approached a spot where some of the inhabitants could be seen, Underhill attempted to escape, when one of the men shot him dead. They hurried back to the schooner, and captain Bennett, it appears, realizing the crime he had committed, immediately entered a boat and crossed the Saint

Lawrence to the United States side. Had he remained to meet the consequences at the hands of the enraged inhabitants, the majority of whom were U.E. loyalists, the three would have been tried for murder, and have been hanged. The Canadian magistrates took the matter up, and addressed a demand to the magistrates of the county of Saint Lawrence of the state of New York. They answered with much propriety, expressing their regret that the event had happened, with the hope that it would not disturb the good understanding between the two countries, but the matter was out of their jurisdiction ; the officer and men belonged to the regiment in Sackett's harbour, and redress must be obtained from the general government. The magistrates of the district of Johnstone memorialized Gore, asking that the guilty parties should be brought to justice ; the matter was not only represented to Erskine but directly brought to the notice of Castlereagh. There is nothing extant, that I can find, to shew the steps taken by the home government.

The captain and men of the schooner were arrested, and gave their testimony ; they were parties to the crime no further, than that they had given a passage to Bennett and his men. Bennett, safe in Sackett's harbour, wrote to the magistrates that Holmes, the captain of the schooner, was in no way implicated in the death of Underhill. The sergeant had acted under orders, and he was proud that they had been executed with so much spirit. Such was Bennett's view of three armed men shooting a prisoner, his arms bound to his side, and to escape responsibility, taking to their boats with himself, and fleeing from the country as fast as they were able. Bennett argued that Underhill was not a British subject, and he could not conceive why he should be protected. Arnold replied, on the part of the magistrates, that he would have been surprised at the style of Bennett's letter, if he had not been informed that it was under Bennett's orders the atrocious crime had been committed. There was no question of Underhill's nationality ; he was within the province, under protection of the law. If Bennett or his petty officer and

men could be taken in the province, they would certainly meet with adequate punishment.*

Bennett was tried by a court-martial; but in spite of the infamy and cowardice of his conduct in shooting down an unarmed man, and his breach of national comity in the violation of Canadian territory, was found not guilty.†

Gore remained in Canada in his first administration until the 8th of October, 1811. He had applied in July for twelve months leave. On receiving the assent to this request, he gave over the government to Brock, and left for England. It is impossible not to recognise that he was a man of considerable ability, and that he exerted himself to advance the interests of the province. He laboured under the difficulty that no definite constitutional lines were drawn defining the position of a governor. Moreover, the case was complicated by the appointment of the majority of the higher officials by the home government. It can also be said that the selection was dictated more by the influence that the new incumbent possessed, than by his qualifications and fitness for the position. As a rule, these parties so appointed corresponded with the officials at home, giving their views freely of the governor and the condition of the province. The object of this correspondence was to obtain influence for the writer, and to advance his fortunes. The province, as a rule, was looked upon as a mine whence wealth could be obtained, with much of the old feeling, that the deluge might follow when the turn of the individual had been served.

One of the proofs of Gore's desire for good government was the passage of an act for establishing a grammar school in each of the seven districts. It owed its origin to bishop Strachan, then rector of Cornwall, and with the governor's support it passed the first session after his arrival. A salary

* Can. Arch., Q. 312.1, May, 1809, pp. 57-84.] Gore reported the outrage to Erskine in June and to Castlereagh in July [pp. 86, 55].

† The fact is given by James [Vol. I., p. 44] as stated in Burdick's Political and Historical Register, p. 168. Strange to say, this volume is not to be found in any public library in the dominion.

of £100 a year was given to each master, with the fees receivable from pupils. The schools were established under a board of trustees appointed by the governor and council. In no long time the house of assembly claimed that the appointment should lie with the majority. The struggle of those years was not to obtain sound constitutional government, with its necessary checks and chain of responsibilities, but to concentrate all power in the lower house that its vote should be supreme, the second branch and the authority of the governor being subordinated to it.

There was no political grievance of any kind felt in Canada. The requirements of Thorpe and his coadjutors had in view no redress for any deeply felt injustice ; they took the form of fanciful demands for the possession of power by the elected members. Thorpe indulged in political disquisitions from the bench, and caused the addresses to be presented to him to be so worded, that he could reply as he deemed expedient. His replies were the constant assurance of his own patriotism and devotion to the public interests, blended with declamation upon the previous bad government that had depressed the province. In his letters to his friends in England, which were afterwards made official, and in his interview with Gore, held at the request of the governor, there is no specification of a wrong perpetrated by the government which could find a record.

We only know the social condition of the province imperfectly. Little can be gleaned from private letters, and the newspapers furnish no data. The great majority of the inhabitants lived on their farms in comfort, even if existence was often somewhat rude. There was a general complaint of the want of roads. Main lines had been opened through the province ; but the population could not have exceeded 75,000 or 80,000 at the most liberal calculation, and there were so many calls for public and private expenditure, that little could be done in any one direction. As the revenue of the province was insufficient to meet the outlay, the deficiency was supplemented by the home parliament. The home

authorities from time to time introduced regulations which certainly did not promote good government. One was, that no person who held any provincial office could draw half-pay for past services. Many of these offices were of small emolument, and the choice was offered to those holding them of resignation of their position, or the forfeiture of the half-pay. The consequence was the abandonment of their provincial duties. Gore pointed out to Castlereagh the mischievous influence of these regulations in consequence of the transfer of offices in many cases of district judges, sheriffs, coroners, clerks of the peace, registrars and others, from tried, responsible and faithful servants to men with no such antecedents ; many of them settlers from the United States, opposed to the steadier, and more regular form of government of the province.*

At that date Kingston was the most populous town. Its inhabitants did not exceed 600 ; York (Toronto) about 500 ; Niagara possibly having the same number. There were some few inconsiderable villages. A market had only lately been established by Hunter at Toronto. I believe no market was then recognized at Kingston. There was no stage or public conveyance in Upper Canada. In summer the connection was maintained by schooners. The winter roads on the main lines were kept tolerably open ; and some bye-ways became in a way passable roads. But many could not be travelled in the spring, before the swamps and swales through which

* If I am not misinformed this unjust rule of red tape is still most discreditably enforced. It would seem, that from the moment any one for past services receives a pension, war is declared against the recipient if he desires to lead a useful and honourable life. The billiard sharp, the blackleg, the roysterer, the discreditable liver who pays nobody can draw his pension unmolested at his ease. Let any one endeavour by ability and industry to add to his small income, the authorities step in, and claim to reduce or nullify his pension. Setting aside the personal wrong to an individual who has faithfully served his country on the conditions required, who has deserved well of her, and who can claim the fulfilment of the national contract, the proceeding itself is a petty, unworthy, discreditable act of piracy, which, with little gain to the exchequer casts a stain on the national character. Is there no public man in the imperial parliament willing to deal with this monstrous injustice and wrong ?

they passed became partially dry, or at the period of the autumn rains. The official letters from England by the way of Halifax and Quebec took four, and sometimes seven and eight months, to reach Toronto. When sent by New York, two months only were required. The communication between Montreal and Toronto was irregular and uncertain. After Gore had been in the province three years, the time for the ordinary passage of the mail was one month.

Gore was fortunate in possessing the services of judge Powell, afterwards chief justice. He was of a good Welsh family, his ancestors having, in the time of the commonwealth, come from Shropshire to the old provinces. A member of the family had acted as secretary to lieutenant-governor Dummer of Massachusetts. Judge Powell was born in Boston in 1755 ; at nine years of age he was sent to England to a school at Tunbridge, and afterwards to Holland to obtain some knowledge of French and Dutch. At the age of seventeen he returned to England, and commenced the study of law. His pursuits were interrupted by the revolutionary war. When twenty years of age, he went back to Boston, and as a volunteer joined the royal standard. On the evacuation of Boston in 1776, Powell proceeded to England, and became a student at the Middle Temple. He remained for three years in London, and in 1779 sailed for Canada ; and, although at that time he had not been called to the bar, he practised as an advocate in Montreal. In 1783 he was the bearer of a petition to England, praying for a modification of the Quebec act, so that loyal men from the old provinces would hold it to be to their benefit to settle in the country. After the peace he went back to Massachusetts, in the expectation that, under the provisions of the treaty, he would regain the property of his family, which had been confiscated. Failing in his effort, he once more visited England, and in 1785 was called to the bar, upon which he again established himself at Montreal in the practice of his profession. He obtained the favourable notice of lord Dorchester, and was by him appointed to several important commissions. In 1789 he was nominated judge of

the common pleas in Montreal. He does not appear to have taken his seat on the bench, for he was shortly afterwards named judge of the district of Hesse, the western part of Ontario, which then included Detroit. In this position Powell was the only judge, his salary being £700.

The Canada act told unfavourably for Powell, for he became a puisne judge of the king's bench, the emoluments of which were £500 only. Osgoode, the chief justice, had not then arrived in the country, and the first organization of the courts fell upon Powell. In the difficulty which arose as to Simcoe's powers on assuming the government, Powell, presiding at the court in Kingston, shewed the good sense of his character by sitting as a judge in Upper Canada, although no proclamation had been issued for his continuance in authority; its non-issue having been caused by the want of a sufficient number of the members of the council to swear in Simcoe. It was not until 1792 that Osgoode arrived.*

In 1794 Osgoode was translated to Quebec as chief justice of Lower Canada. Powell, from his character and service, expected to succeed him. He was, however, informed that it had been resolved to appoint an Englishman. Powell performed the duties for two years and a half, when Elmsley was nominated to the position. Elmsley, like Powell, had been born in the old provinces, and hence, to the last, Powell described the selection of Mr. Elmsley as a wrong personal to himself.†

Powell was thus familiar with the whole history of Canadian politics under the new system, and his counsel was of great benefit to Gore. His knowledge of the history of its foundation, and the character of the U.E. loyalist population, among whom were interspersed the new settlers from across the border, made it an impossibility for him to accept the narrow and

* Ante, Vol. VII., p. 344.

† The narrative of judge Powell's career is taken from a memoir in his own handwriting in the Powell papers in the possession of his grandson, Mr. George Murray Jarvis, whose kindness in placing them at my disposal I have thankfully to acknowledge.

mischiefous theories of Thorpe and Wyatt. Moreover, in those days he was unusually well educated, and of admitted ability. In Montreal, also, he had some insight into the difficulty of governing a province constituted as Canada then was, and he had been taught the extent to which temper, judgment and forbearance were necessary on the part of a governor who desired peace and quietness.

Firth, the newly appointed attorney-general, was in every respect the opposite of Powell. He had arrived in Canada with ideas of imperial importance, even now not entirely passed away with men semi-educated, and of no great strength of intellect. His conduct in the action of Wyatt against Gore likewise suggests* that he had very feeble theories of personal honour. He had been appointed in June, 1807, and had arrived in Canada some three months later. In April, 1808, on the death of Alcock, on the theory that Scott was to be translated to Upper Canada, he applied for the chief justiceship of the province, after he had been only nine months in the country. He soon became discontented with the emoluments of his position. He claimed that all instruments under the great seal should pass through his office, fees for which should be paid him; and he insisted on the right, to conduct all the criminal prosecutions at the charge of the crown. The former question was referred to the law officers in London. They reported that if the question were to be decided by the law of Upper Canada, or by the extent of the authority conferred by their appointments on the governor-general and the attorney-general, they had not the materials to form an opinion. By the law and usage in England, it was not essential for all instruments to pass through the office of the attorney-general to receive his fiat. The rule applied to some commissions, not to all; particularly, to such concerning which the question had arisen. They suggested that the practice that had hitherto prevailed should be adhered to, unless erroneous.

In July, 1811, Gore received a request from Firth to proceed

* Ante, p. 94.]

to England, which he refused, on the ground of the absence of the solicitor-general, and that the claims for the fees he had advanced having been referred to London should be determined while he was in the province.*

Firth, however, refused to be governed by this decision, and without leave, left Canada in September, 1811, for Quebec to embark for England. Gore no sooner heard of the proceeding, although he was on the point of availing himself of the leave he had obtained, than he appointed Mr. John McDonell to perform his duties. In November, 1812, the appointment was confirmed, but at that date McDonell had been killed at Queenston. On the 31st of December of that year Mr., afterwards sir John Beverley Robinson, was appointed to the office. When in England, Firth addressed a memorial to lord Castlereagh.† It specified the injustice of which he complained, by the non-payment of the fees to which he was entitled. He assailed the government of Gore, declaring him to be unfit for the position, and instanced the attack of Thorpe, Wyatt and Jackson in proof of his statement. Firth never returned to Canada.

Gore left Toronto on the 8th of October, 1811, and the government was assumed by sir Isaac Brock on the 9th. It was his fate to fall at Queenston heights on the 13th of the same month of 1812: he therefore held his government but five days over the year. But these months were to obtain for his name immortality, so long as the English language can narrate what in this brief period he achieved, to hold forth for us all the bright example of his genius, gallantry, and fertility of resource. Even at this date, we feel all that the province lost by his death at this early period of the war.

* Can. Arch., Q. 314, p. 116, 29th July.

† Norwich, 18th January, 1812 [Powell papers].

CHAPTER VI.

Mr. Dunn did not long exercise the duty of administrator, as sir George Prevost came to Quebec from Halifax on the 12th of September, 1811, within three months of Craig's departure. Appointed lieutenant-governor of Nova Scotia on the 15th of January, 1808, he had arrived at Halifax the subsequent April. In December of that year he had sailed in command of a large force, to aid in the operations in the West Indies. Having taken part in the capture of Martinique he returned to Halifax in April, 1809, and remained in charge of the government of Nova Scotia until the 25th of August, 1811, when he left for Quebec. He was the eldest son of major-general Prevost, who had served under Wolfe and been severely wounded in the action on the plains of Abraham. The elder Prevost was a Swiss, born at Geneva; one of those officers who, like Haldimand and Bouquet, had joined the British army on the formation of the regiment of the Royal Americans, as this narrative bears witness, all men of the highest capacity. Prevost equally deserves this character. He obtained distinction by his successful defence of Savannah in 1779, against the attacking force composed of the French under d'Estaing and the congress troops under Lincoln,* and he shewed both courage and military skill.

The new governor of Canada was born at New York on the 10th of May, 1767, his mother having been the daughter of Mr. Grand, a banker at Amsterdam; and hence he was the possessor of wealth. Made a baronet in 1805, after the defence of Dominica, of which he was lieutenant-governor, against a large French force, he was in his forty-fifth year when he reached Quebec. His active service had been confined to the West Indies. Much of his military career

* *Ante*, VI., p. 338.

had been passed on the staff, and he had not acquired by experience that spirit of foresight and determination so essential to a successful commander, nor was he by nature endowed with those qualities which in great crises supply its want. Those who follow this narrative will be best able to judge his ability and character. In private life he had pleasing and agreeable manners ; and from the fact that he spoke French as his maternal language, he immediately obtained the good graces of the French Canadians.

Prevost's government had been popular in Nova Scotia. No difficult questions had arisen, and on his return from the successful expedition to Martinique he had been received with distinction. He had left with every mark of public favour. His reputation had preceded him, and much was looked for from his conciliatory spirit.

Shortly after his arrival in Canada Prevost visited Montreal, Sorel, Chambley, and Saint John's, to note their capacity for defence. As Craig had reported, he had found them perfectly exposed, and it was to be looked for that in this quarter the first shock of war, then considered imminent, would be felt. One of his earliest duties was to appoint an administrator for Upper Canada, in accordance with a despatch from London, dated July the 13th, instructing Craig to place the senior military officer in charge of the government of Upper Canada during the absence of lieutenant-governor Gore. The selection made was Brock.

The death of M. de Lanaudière, the *grand voyer*, permitted some changes in the militia. The adjutant-general Baby, no longer young and active, was appointed *grand voyer*, and his deputy, X. de Lanaudière, was named to the position. At the recommendation of chief justice Sewell, Prevost drew the attention of the home government to the condition of the legislative council. Owing to the age and infirm condition of many of the members, he recommended an addition to the number, and he also pointed out the necessity of the executive council being strengthened. His recommendations were approved.

The legislature met on the 21st of February, 1812. After referring to his own appointment, and the freedom of Canada from the desolation of the war ravaging Europe, he recommended the exercise of vigilance to secure the colony from invasion. He hoped the parliament would give its attention to the acts that experience had shewn to be essential to the preservation of the government, and would grant the aid called for by the exigencies of the time. The assembly replied that, it would give its attention to the acts in question, notwithstanding the repugnance felt at their provisions, owing to the improper use that had been made of one of them. But the confidence, personally felt in himself, had diminished their fears in this respect. The governor expressed his regret that the assembly had held it expedient to direct attention to what had happened, and asked the members to give their consideration to the present condition of affairs, such being the most effectual means of evincing zeal for the public service and the maintenance of general tranquility. A bill for the better preservation of her majesty's government was sent down from the upper house. Several amendments were moved. The main proposition was to transfer the power previously vested in the executive council entirely to the governor, and it exempted members of both houses from its influence. The legislative council refusing to admit these amendments, conferences were held, and the bill was lost, to the satisfaction of the assembly, and of those who by their votes had returned the majority. The alien bill equally failed in the lower house.

The difficulties which had arisen in Craig's government were not to pass in silence, especially as Mr. Bedard had a seat in the house, and his political activity had been excited rather than restrained by his imprisonment. In a house of fifteen, two only voting in opposition, a resolution was carried that, as an act of justice to the Canadian subjects of the province, some means should be adopted to inform his majesty of the events which had happened during the government of sir James Craig, so that steps might be taken "to prevent the recurrence of similar administrations, which had tended to

deprive them of the confidence of his majesty." A committee was appointed to inquire into the state of the province. It consisted of Bedard, Lee, Papineau, L. J. Papineau and Viger. It was resolved that the proceedings should be secret. It was the last heard of the committee, for shortly afterwards the war broke out, and for a time, higher considerations than party politics became dominant.

The appointment of an agent in England was considered, but not determined. A bill was also introduced for the payment of members of the legislature. On Louis Joseph Papineau moving that the bill should be engrossed, Lee moved the substitution "that (the bill) hath a tendency to increase in this house the number of persons, who from want of education are incapable of judging the spirit of the constitution in its effects." Lee was met by an outcry of indignation; nevertheless three members sustained him, the vote being four to fourteen. The bill was thrown out by the upper house.

What was of greater importance, in the threatening condition of affairs, was the passage of a militia act. The governor was authorised to call out 2,000 single men between the ages of eighteen and twenty-five for three months, and in the period of imminent danger to retain them for one year. In case of war the whole militia could be called out; no substitutes to be allowed. The sum of £12,000 was voted; half the amount to be applied to training the militia, the other half to the purposes of the militia act, with £20,000 to meet the exigencies of the times. Further, £30,000 was placed at the disposal of the governor, in the event of war with the United States. The governor closed the session on the 19th of May, acknowledging the beneficence of the house, and expressing his thanks for the confidence shewn in his administration, by the liberality of the provision for the public service.

A regulation affecting trade with the United States was established in the early months of 1812. In February, 1811, a memorial had been sent to the board of trade in London, setting forth that the provisions of the treaty of 1794 were

detrimental to the trade between Great Britain and Canada ; that they gave a monopoly to the United States for supplying Upper and Lower Canada with teas, cottons and other productions, especially bar and cast iron, leather, shoes, and saddlery, etc. These articles were brought into the province by land, and entered as if they were imports by sea ; they were sold by auction to the injury of the regular trader, and the money received in payment for them made in specie, was carried out of the province ; a proceeding which seriously affected the currency in circulation. No stipulation had been made in the treaty as to duties, consequently twenty per cent. was exacted upon all importations which entered from Canada into the United States ; whereas in Canada the same duty was exacted on inland importations, as on those which arrived in the province by sea. Canada was consequently flooded with such goods, and it was asked that the same duties on all inland importations should be imposed, as were exacted by the United States.*

The lords decided that the provisions of the act of George I., stat. I., ch. 21, sec. 9, were sufficient to prevent foreign goods entering Canada. The memorialists would not accept this decision, and persevered in the view they had expressed ; and asked that the governor should recommend to the legislature the imposition of the duties named in the list of articles furnished by them. Finally, on the 13th of April, 1812, Prevost was informed that a bill would be submitted to parliament, that no goods or commodities whatever, except such as were of the growth and produce of the United States, should be admitted into Canada by land-carriage, or inland navigation, and that the duties imposed by the United States on Canadian produce should be levied on the produce of the United States finding its way into the province.†

Prevost at an early date shewed a conciliatory spirit towards those French Canadians who had been prominent in antagonism to Craig. He restored to their commissions in the

* Can. Arch., Q. 115, p. 40, 7th February, 1811.

† Ib., Q. 117.2, p. 192, 13th April, 1812.

militia, the officers who had been dismissed ; and Bourdages, one of the most vigorous in opposition, was appointed a colonel. Bourdages in early life had been bred to the sea. Subsequently, he had established himself on a farm at Chambly, and had obtained admission as a notary. Having entered the legislature, he became exceedingly active in political life. Prevost always shewed much consideration to the French Canadians, a line of conduct the more possible from his knowledge of French. When the chance offered of giving a position to Bedard, he was appointed judge of Three Rivers. In December, 1812, the death of Mr. justice Pierre Panet left an opening on the bench in Montreal. In January, 1813, Mr. justice Foucher was removed from Three Rivers to Montreal, while Bedard was nominated to that position. The legislature was then in session, and it is more than likely that Prevost was not unwilling to see Bedard's energy and ability transferred to another sphere.

But, with all his effort of conciliation, Prevost was made to understand that agents were moving among the French Canadians to create dissatisfaction. He had ground for belief that they were acting in the interest of the United States and of France, striving to beget discontent and active hostility to the government. He had formed the view, that in the United States at that time it was considered, that, war with Great Britain would be premature ; but that the political leaders were preparing for the event, by undermining the loyalty of the Canadian population. Prevost exerted himself to awaken the national feeling of the French Canadians. He was greatly aided in this view by the continual bombastic boasts in congress, and by the fanfaronade in the press of the easy conquest Canada would prove. While the war party in the United States was encouraging its followers with this childish vapouring, and insolent bravado, to obtain support to the declaration of war, they were awakening a spirit of resistance and anger in Canada, that did more to create a national spirit than any effort of the government, and that induced men to take the field with the firm determination of defending

their country to the last. The proceedings in congress, and the language of the press, supporting the policy of the government, assumed such significance, that Prevost sent his aide-de-camp, captain Coore, to Washington, to assure the receipt of reliable intelligence from the British minister, Mr. Foster, in order that the question of peace and war could be correctly judged.

While Prevost was pressed with these difficulties and uncertainties, he was the more perplexed by the despatches he received from lord Liverpool. At this date, Great Britain, owing to European complications, was desirous of avoiding war with the United States. War in America, in addition to the desperate conflict in which Great Britain was engaged on the continent, it was feared, might prove a strain the consequence of which could not be foretold. A naval war would not have carried with it doubt or hesitation, but the defence of the extended frontier of the British provinces, from Nova Scotia to lake Superior, awoke considerations of responsibility and difficulty. It was a sense of this weakness which encouraged the aggression of the war party in the United States. Probably there was not a single advocate of hostilities of this war party, especially those called the "backwoods politicians," who entertained the smallest doubt of the rapidity of the conquest of British America. One influence employed had been to excite the discontent of the population, so that they would not fight, when the hour came for their services in the field. It was for this purpose, that agents wandered through the parishes to tell the *habitants* of the miserable condition under which they lived. In Upper Canada Willcocks had established his *Guardian*, to be distributed in every household, to make the Upper Canadians feel how cruelly governed they were. But the truth could not be suppressed, there was no grievance felt in either of the Canadas. The legislature struggles in Lower Canada had been for an abstract right of the house to be the one governing body, on the dictum of a chance majority, many of those composing it being scarcely able to write, and only able with difficulty to read a printed *livre de dévotion*. When the crisis came

the question of the power of the assembly passed out of view. The feeling was universal, that the nationality and true liberty found in the Canadian provinces were worthy of being fought for, whatever the suffering that the defence of them would entail ; and be the danger and cost that would ensue what they might, they must be fearlessly accepted, to avoid being absorbed by conquest in the republic, which commanded neither their affection, nor respect.

In the position of danger in which Prevost was placed, he had a right to look for plain instructions from the home government, and the assurance of perfect support. His mind was not endowed with the firmness of Craig, who, when he felt that there was a duty to perform, abandoned all personal considerations in its acceptance. Prevost had no such convictions, and he could not but be affected by the letters he received from the foreign minister. Even in May, a month before the declaration of war, Prevost was informed that the government apprehended no immediate hostilities. He was told to consider himself vested with the same general discretion in taking measures for the defence of the province that had been given to Craig. But in place of being encouraged to exertion, Prevost was informed that the minister trusted that the expense already incurred for strengthening Lower Canada would be adequate without further demand upon the treasury, and he was cautioned to avoid any act which would irritate the people of the United States.

The expenditure which had been incurred was upon work of the highest importance ; but in the crisis in which the province was placed, relatively secondary to that, which was imperatively demanded. It had been limited to the extension of the citadel of Quebec, and the completion of the defences as approved by Craig. The works had been only commenced. In a few months subsidies were to be lavished by millions to sustain Austria, Russia, and Prussia in the struggle against Napoleon, while Canada was left without money, and without men, to battle through the danger as she was best able.

At this date Napoleon had begun his march to Russia. He had left Paris, accompanied by Marie Louise, on the 9th of May, to arrive at Dresden on the 16th. He was there met by the king of Saxony, and the following day by the emperor of Austria, to be followed by the king of Prussia. On the 29th he left Dresden to advance to the Russian frontier. On the 23rd of June the passage of the Niemen commenced. Well might thoughtful men in Great Britain draw their breath in fearful doubt, for there were few but felt, if this immense army was to prevail in Russia, that the next expedition would be against the British isles. We have in these events the causes of the doubt and expectation which oppressed the British government. On this continent, the war party of the United States felt the full force of circumstances so apparently adverse to Great Britain, and resolved to the full, to profit by them. Prevost himself should have entertained no doubts of the hostile feeling directed against the provinces. However embarrassing may have been his instructions, the writing was on the wall for a bold nature to read, that the prospect of national greed was to prevail over wiser and more friendly sentiments. In the beginning of June, he had received a communication from the consul general at New York that war was inevitable. Such was the confidence in London that war would not take place, that the 41st regiment was ordered home only ten days before the declaration of hostilities. Prevost, when reporting to London the information he had received, notwithstanding its positive character, had replied that the embarkation should take place.

Even in July, when lord Liverpool wrote * in acknowledgment of the willingness of the assembly and of the people of Lower Canada to defend their country, he hoped that there would be no call for the sacrifices that so willingly would be made, and that the declaration of the 23rd of June would secure peace. He directed, that all extraordinary preparation for defence should be suspended, and the arrangement for

* 4th July, 1812. Can. Arch., Q. 117.2, p. 185.

raising the Glengarry regiment be abandoned. When the letter reached Canada the war was being actively prosecuted.

Not only were these instructions depressing to Prescott, but they exercised their influence on Brock through the communications he received from Quebec. The fact that he rose superior to them, is a proof of the strength of his character and the force of his genius. In December, 1811, he wrote to Prevost, urging the policy, on the commencement of the war, of immediately taking active operations against Detroit. He pointed out that Michillimackinac could be attacked, and that unless some diversion were made, it might be looked for that an overwhelming force would enter Canada by crossing the Niagara river. He had the sagacity to foresee what happened in 1813, that the invasion of the province would take place from the present Ogdensburg; when the expedition would descend the Saint Lawrence, conducted on the plan of campaign followed by Amherst in 1760.* Prevost replied, recommending precaution, acknowledging the advantages of striking, rather than of receiving the first blow, but he gave no encouragement to Brock's enterprise. He could not conceive that there would be a direct declaration of war, but that they must "expect repeated petty aggressions from our neighbours before we are permitted to retaliate by open hostilities."

Mr. Percival's government so little believed war to be possible, that both the 41st and 49th regiments had been ordered home. It was only owing to Prevost's representation, that circumstances required the regiments to remain until spring, that the order was not carried out.†

The letters of Mr. Foster from Washington gave the impression that war would be avoided. He described the war party as being composed principally of the western and southern members, who had little to lose and much to gain, while the northern and eastern states were vehement against

* Brock to Prevost, York, December 2nd, 1814. Tupper's Life of Brock, pp. 123-130; Prevost to Brock, 24th December, p. 134.

† Can. Arch., Q. 117.2, p. 339. Prevost to Liverpool, 9th June, 1812.

it.* Prevost regarded this intimation as "peaceful intelligence; although it came with a good deal of reservation, and warrants me in recommending the most rigid economy in carrying on the king's service, and in avoiding all expense that has not become absolutely necessary, as it is with the utmost difficulty money can be raised for the ordinary service."†

Such was the condition in which Mr. Percival's government was placing Canada to meet the contest with the United States, in a war forced upon the province by no act of her own, but as a member of the British empire; without money to meet the ordinary expenses, and with the upper province to be defended by 1,500 regular troops. The fact cannot be set aside that the province was left to drift onwards as it could. If Canada in the early days of the war of 1812 remained a British province, it was due to the genius of Brock, and the unconquerable spirit of her own children. The great point for the concentration of defence was held to be the citadel of Quebec; on the theory, that if it remained British the ultimate possession of the province by Great Britain was assured, whatever temporary loss of territory might happen. It is simply an act of justice to the inhabitants of Canada of that time, that the steadfast and resolute attitude taken by them should be known, and recognition given to their unshaken determination to remain British. Even the provision to supply the want of money came from Canada. The whole military weight of Great Britain was being thrown into the peninsular war. Wellington was engaged in his contest with the French at Cindad Rodrigo, Badajoz and Salamanca. In August the British entered Madrid, while Joseph Buonaparte precipitately fled. It was in Spain that the national strength was put forth, while Canada was left to struggle through the contest with the few British soldiers who were in the country. While Canada was without specie, and from its scarcity was driven to extreme straits in meeting the wants of daily inter-

* Col. Baynes to Brock, 21st May, 1812. Tupper, p. 176.

† Ib., p. 178.

course, £200,000 was voted to the relief of the sufferers by Napoleon's invasion of Russia ; a million of dollars, a quarter of which sum in specie would have been invaluable to us. It was in May of this year that the murder of Percival by Bellingham brought his discreditable administration to a close, to be followed by a ministry under lord Liverpool similarly constructed.

In Upper Canada, Brock had met the house on the 3rd of February. In his speech he would have preferred, he said, to direct their first attention to the objects which would have promoted peace and prosperity. But England was not only interdicted the harbours of the United States, while they afforded shelter to the cruisers of the enemy, but she was required to resign the maritime rights she had so long exercised and enjoyed. Insulting threats were offered, and hostile preparations had been begun. While he hoped war, with its calamities, would be averted, he could not be too urgent in recommending the adoption of measures, that would secure internal peace, and defeat aggression. He appealed to the sons of a loyal and brave band of veterans, not that it was necessary to animate their patriotism, but in order to dispel "any apprehension which you may have imbibed of the possibility of England forsaking you." He announced the annual grant of £100 for every future missionary of the gospel, who had faithfully discharged his duty for the term of ten years in the province. He closed his speech by a powerful appeal to the "firmness and discretion and promptitude which a regard to yourselves, your families, your country, and your king" demands.

Brock's assurance of the support of Great Britain called forth the utmost confidence, and, from the spirit which was shewn, he looked to on the part of the house an acquiescence with the recommendations he might make. He had four objects in view : a militia supplemental act ; the suspension of the habeas corpus ; an alien act ; the offer of a reward for the apprehension of deserters. At this date he expressed his conviction, that unless at the commencement of hostilities

Detroit and Michillimackinac fell into British possession, not only Amherstburg, but the country to Kingston, must be abandoned. Brock also wrote to Prevost, asking to be allowed to continue in his present command. He had expressed the wish to return to England, to be employed in Spain. From the feeling that his services would be required in Canada, he resolved as an act of duty, to remain in the province.

The hope of Brock had been, that he would have successfully carried through the measures he considered indispensable. It was a matter of belief, that several had obtained commissions in the militia who could not be relied upon : they consisted of the settlers who had entered Canada from the United States. Many had openly expressed their determination of not acting against their countrymen ; while several had acquired property, and were placed in positions of prominence.

Brock, from his own observation, and still more from the information received by him, was convinced of the necessity of requiring every militiaman to take an oath abjuring every foreign power. The class of settlers I have named, successfully exerted themselves to prevent the passing of the bill. Brock expressed his deep disappointment at the failure of the measure, for it would have enabled men to know by whose side they were fighting. It was lost in the house by the vote of the chairman of committee, ten votes being given on each side. The attempt to introduce the suspension of the habeas corpus failed to pass the house. There was in Upper Canada with many, the feeling that, however threatening the language in congress, war would not take place. Several thus failed to recognize the necessity of the coercive measures introduced.

There was likewise the dread of arming government with the power to keep in time of war disloyal aliens in subjection. Of this class many had entered Canada to escape punishment for crime. Even with a considerable portion of this population, whose lives were above reproach, and who during peace were good citizens, it was known that a strong attach-

ment existed to the land of their birth, and that they could not be relied on in critical times. Brock felt excessive unwillingness to place arms in their hands, for there was no certainty of the use to which they would be applied.

The proceedings of the house of assembly were affected by the votes of members, returned by constituencies in which settlers of this class were numerous, and with whom extreme democratic opinions were prevalent. There was a suspicion of every proposition made by the government, joined to the determination to claim extraordinary powers for the house. The latter sentiment aimed at setting at defiance the enactments of law, and the safeguards for the protection of the individual, which had grown up with custom.

An event occurred in the session of 1812 shewing the ignorance of the principles of constitutional government which ruled the house, and the tyranny that its members were prepared to exercise, when political feeling was unfavourably aroused. It clearly establishes the extent the extreme party was prepared to go, to crush opposition to the policy advocated; and it furnishes a proof that the majority arrogated a power, the exercise of which would not now even be attempted, and which no man in modern political life would pretend had ever existed.

A colonel Robert Nicholl had been appointed a commissioner of highways for the London district. In April, 1811, he had rendered his accounts to the executive, and they had been examined and found perfectly correct. Owing to some unexplained circumstance, the house passed a vote that the commissioners had abandoned their trust, and that £300 placed in Nicholl's hands had not been applied to the public service; consequently, it was voted that he should be brought before the bar of the house. In the middle of winter, the sergeant-at-arms by warrant enforced his attendance, and Nicholl was compelled to leave his residence, upwards of one hundred miles from Toronto, to obey the summons. When brought before the house, he read the letter of explanation he had written to the governor. His concluding sentences were

voted to be "a false, malicious and scandalous representation to the person administering the government," repeated also "by words used in the presence of a member."* Nicholl was committed to jail by warrant of the house. On the following day a writ of habeas corpus was applied for on the part of Nicholl, and chief justice Scott ordered his discharge.

Scott was at the same time speaker of the upper house. A message was sent to that body from the legislature, complaining of the chief justice's conduct as a breach of privilege. On the matter coming before the council, the chief justice read a paper setting forth the duties of a chief justice in any such application, specifying the provisions established by statute and practice, none of which had been observed. The commitment, as prescribed by law for the protection of the subject, had not stated the nature of the breach of privilege, or how, when, and where Nicholl had been adjudged guilty. Neither did it state that the imprisonment was ordered by the house. It appeared as the personal act of Mr. Street, the speaker. As the warrant was defective, he was bound to discharge the prisoner, as no question respecting privilege could arise.

The council disclaimed any right to interfere with the chief justice in the exercise of his official position, but he, as speaker, having entered into an explanation of his conduct, the explanation was ordered to be entered upon the journals, and a copy sent to the house of assembly.

The house, without in any way considering the legal side of the matter, immediately voted an address to the prince-regent, representing their conviction of the necessity of preserving pure and untainted the privileges and immunities which the people of England, and they, as their descendants, had so

* "Experience has however convinced me that, no integrity of heart or rectitude of conduct are a defence against malevolence and detraction, and that actions the most upright and disinterested may be misrepresented when individual characters are to be sacrificed, and party purposes are to be gained. I have the satisfaction, however, to reflect that I have acted right, that there is no foundation for the insinuation against me in the resolution alluded to, and that I have not been benefitted, either directly or indirectly, by one shilling of the public money."

[Can. Arch., Q. 315, p. 61.]

long enjoyed. It was there stated, that an alarming, dangerous, and unjustifiable violation of the privileges of the commons had lately been made by the chief justice, and it was prayed that measures, prompt and efficient, to afford redress be taken.

The address sent to the administrator was forwarded home, accompanied by a minute of the executive council that no instance could occur, so strongly marked by prejudice, ignorance, and injustice as that which had given rise to the proceeding. It had been avowedly suggested by the supposed victory of the house of assembly at Jamaica over the judicial and executive authorities.

Before the session of the following year, two of the leading movers in the proceeding, Willcocks and Marcle, had deserted to the United States. We hear no more of the matter.

In order to meet the difficulty experienced from the scarcity of specie, which it was felt would be increased rather than diminished, Brock recommended the introduction of a paper currency, particularly in the event of war. He was in no way doubtful of its success, no notes being under 5*s.* or above £10.

In May he inspected fort Erie, and visited the Grand river Indians, going as far as the head of the lake. The information he received gave him assurance that an excellent disposition prevailed on all sides. The flank companies of the militia, called out in accordance with the act, had been at once completed to the necessary number by volunteers.

On all sides Brock heard reports of the preparations being made across the frontier. His military instincts taught him that the United States had everything to gain by delay on the commencement of hostilities, while Canada by delay, when war was declared, would lose the advantages she possessed. In April, Foster had written to Prevost, that 500 of the New York militia had been sent to Niagara, 500 to the Black river opposite to Kingston, 600 to lake Champlain; at the same time barracks were being constructed at Black Rock, opposite fort Erie, at the eastern extremity of lake Erie. Rangers were being raised to overcome the Indians, and a force of regulars assembled at Detroit. A detachment had likewise pushed on

to fort Wayne with the view of strengthening Detroit. Every indication was given that war would be certain, the more so from the known unfriendliness of the Washington government to Great Britain.

One proceeding taken by Brock in the emergency was to submit to the home government a proposal, to place on the U. E. list for grants of land, the family of every soldier, regular and militia, who might be killed in the coming contest. The application was made public by a general order. It was approved in August, with complimentary allusion to Brock's zeal and activity, and expressing confidence in the result of the contest.*

The result could not long be deferred. Events had become so complicated that the decision, on which side soever it should fall, had now to be made. Whether peace should prevail or not, was not dependent on Great Britain. War with the United States at that date, or at any date will never be desired. On occasions, British public opinion has arisen, awakened by a sense of injustice at United States diplomacy and has asserted itself. But there has remained, and must ever remain, a kindly feeling for a nation whose national language is ours, whose traditions are identical with ours, and whose institutions have been formed primarily on our own. Moreover from the sense of the difficulties and complications incident to political life in the republic, Great Britain on many occasions, has been long suffering; but when from circumstances there has arisen the necessity of self-vindication, the demands have been made with temper, forbearance, and quiet dignity, and with the strongest desire of avoiding all unnecessary cause for irritation.

At no time in the history of the nation was this feeling stronger than at the close of 1811. With the United States politicians of the west and south it was misunderstood. Current opinion accepted the exaggerated sentiment of the want of vitality and power of Great Britain, and there arose a belief in her incapacity to carry on war in America, and that

* [Can. Arch., Q. 315, p. 115, 19th May, 1812. Ib., 10th August, p. 112.]

she was deficient in strength to defend her North American possessions. Hence, it was argued that their natural weakness assured an easy conquest.

By an act of congress of April the 4th an embargo extending over ninety days was established on all vessels in the ports of the United States. War was declared on the 18th of June. Before this date, on the 5th of June, a British schooner, "Lord Nelson," sailing from Prescott to Niagara on lake Ontario, was boarded by an armed United States vessel, the "Oneida," and taken into Sackett's harbour, when the cargo was sold, and the vessel dismantled. The pretence made for this proceeding was, that the ship's papers were unsatisfactory with respect to her destination; an act in every way unwarrantable, as there was no law in Upper Canada enforcing this regulation on the lakes. A second vessel, the "Ontario," was also seized, and carried into Gravelly point below Carleton island. The vessel had left a United States port before the embargo. The reason given by the officer who seized her was, that he suspected her to be infringing the customs regulations. The proceeding was brought to the notice of the minister at Washington, but when the intelligence reached him war had been declared.

That Prevost was able to inform lord Liverpool that hostilities had commenced was due to the patriotism of the principal partners of the north-west and south-west companies: Forsyth, Richardson & Co. and McTavish, McGillivray & Co., who, foreseeing what must follow, had taken extraordinary means to obtain early information. It was not until the 26th of July, that Prevost at Montreal received official intelligence from Mr. Foster of the declaration of war of the 18th of June. The fact seems hardly credible, that Foster sent no intimation of this serious matter of any kind to Upper Canada, leaving Brock to learn the news from the governor-general. With the greatest despatch a fortnight must have elapsed for the intelligence by this channel to reach Toronto. Brock received the information through a letter sent direct to fort George by the same patriotic

parties who had transmitted it to Prevost. Thus, six days after the declaration of war at Washington, on the 24th of June, it was known both at Quebec and in Upper Canada. No explanation was given of the neglect of Foster in having failed at the earliest hour to send this momentous information to Canada. It was not owing to his energy and forethought, that the first knowledge of hostilities was not conveyed by the cannon's mouth, followed by the occupation of the western peninsula by the forces of the United States.

When it was unmistakably known that war had been declared, an order was issued that all "subjects" of the United States should leave the city of Quebec before the 1st, and the district on the 3rd of July. Subsequently, by proclamation of the 30th of June, the period was extended seven days. All residents in other parts of the province were called upon to depart within fourteen days. An embargo was laid on all vessels leaving the province until the 16th of July following. At the same time the legislature was called together to meet on that day.

Thus, war with its sacrifices, its dangers, its disruption of social association, and its destruction of all economic relations, lay before the people of Canada : a war, not called forth by resentment arising from antagonism or injury to their interests, or from precipitancy or want of judgment on the part of the government in rushing into hostilities, but from the position of the province as an integral portion of a great empire. There was no want of belief that the strength of this empire would be put forth in all its force and vigour; but all knew how severely her resources were over-taxed in a great European war. Canada, nevertheless, never hesitated, never flinched for a second, thrown as the province was for the time on her narrow resources, and having to confide in her own imperfect strength.

England in 1811 was much depressed. A series of causes had created dissatisfaction and discontent among a large body of the people, and the weakness of the administration of Percival had done much to paralyse the confidence of the

nation in itself, the last feeling which should abandon a people. The miserable failure of lord Chatham in 1809 at the Scheldt, owing to his utter incapacity, and the expressed dissatisfaction by Canning with the conduct of foreign affairs by Castlereagh, had led to the resignation of the duke of Portland. The duel between Canning and Castlereagh had followed, and Percival formed a ministry from the members of the old government, lord Wellesley taking the place of Canning.

To add to the political complication, in October, 1810, owing to the mental condition of the king, the necessity had arisen of appointing a regent, but the uncertainty of the restoration of the king to health deferred the settlement of the measure until February, 1811. The appointment was then made for one year. The constant anticipation of the king's recovery, it can now be understood, fettered the proceedings of the regent, from the fear that his father should recover, to find the ministry changed and the men he personally disliked in office. The regent's negotiations with Grenville and Grey are matters of history. It is doubtful whether they were sincere on the regent's part. Percival consequently continued in office, with Castlereagh as foreign secretary.

Never during this long war were the prospects of Great Britain lower, and public feeling more depressed, than in 1811: a condition known and considered by the war party in the United States as the time to strike. Great Britain stood alone in Europe. Napoleon was in the fulness of power. By the treaty of Tilsit, Russia had become his ally. Germany was prostrate in his grasp, Switzerland subdued, Italy conquered, the States of the church incorporated with France, and Rome declared the second city of the French empire. Austria had accepted Napoleon's success as a European fact, by giving the emperor's daughter Marie Louise in marriage: a proceeding the more remarkable, as Josephine had been divorced to admit of the second marriage. Spain had ceased to create anxiety. The campaign of Napoleon in 1808, and the retreat of sir John Moore, looked as if it was the closing chapter of

British intervention. Napoleon was then master of the continent of Europe, the husband of an Austrian princess, in the full majesty of his prestige ; it seemed as if it would be his lot to fight no more battles. Indeed, from Wagram, in July, 1809, to Smolensky, in August, 1812, he was present in no action.

There was a strong feeling of despondency throughout the mother country. The opposition expressed the most gloomy anticipations of the evil days which were to come ; and thus with foreign nations the feeling arose that the power of Great Britain was passing away. Nowhere did this view find a more welcome home than in the United States. Who will hesitate to say that the sentiment did not influence the diplomacy of Madison ? Faith in the supremacy of Napoleon in Europe could only have its origin through belief in the failing strength of Great Britain, and the consequent conviction arose ; that war in America could only be carried on imperfectly, and in a hap-hazard way, at a time when England had to contend against such enormous odds in Europe.

The year 1812 confirmed the illusion. Napoleon gathered the immense resources at his command to force Russia to accept the conditions he offered. No hesitation was felt in the United States in the belief of his eventual perfect success. He would dictate his terms of peace in Moscow, and then ! Great Britain would feel the full extent of his anger and his power.

These antecedent circumstances must be borne in mind, when we consider the contest that the United States provoked, in the anticipation that Canada would become an easy prey. Indeed, it was much doubted if any resistance at all would be offered. I will in the following chapter relate what I hold to be the immediate events which preceded the war, and the direct causes which led to it, as they may be traced in United States history. That Canada fought the good fight with resolution and unflinching courage is a page in her records, which can never be read without pride and exultation. She did not in this contest lose an acre of territory. She went into the fight poorly provided with troops, with-

out money, and during the first months of the war the operations in the field were most seriously embarrassed by the vacillations of the home government. In spite of facts which most plainly presented themselves in the United States, for the guidance of the British ministry, peace was conceived to be possible. The great hope of the war party in the United States was, that its efforts would be crowned with success in the first months of hostilities. That they should have entirely failed must remain to this day, more or less a matter of bewilderment. Disaster came with crushing certainty upon the war party of the United States, for it looked to no such consequence. A few months had only to pass for the whole question of national power in Europe to be changed. Before the year closed, Napoleon's Russian expedition had ended in ruinous calamity. His immense force had been destroyed, while he himself, as an unknown and defeated man, with only five members of his household, made his way across Europe homeward to France. He remained for a few hours at Warsaw, and hurried forward to Dresden to summon the astonished king of Saxony to tell him, how he would redeem the disasters the snows of Russia had inflicted on him.

As may be conceived, the news caused an immense sensation in the United States. Great Britain was no longer held to be the powerless state, when the thought was expressed that the Canadian provinces would be taken in possession with scarcely an effort. What the war, thus forced upon Canada, proved to be, I will narrate. In less than two years from the first declaration of hostilities, the United States were glad to offer terms of peace, not on the conditions which had been paraded as indispensable to justify war, but with the remembrance of reverses, which no specious declamation can efface, or remove from record. Moreover, with the fullest conviction that the loyalty and determination of Canada were unshaken, even when threatened by Mr. Clay's militia of Kentucky, and that of Vermont and Massachusetts of Mr. Crowninshield. The pear that Mr. Madison had predicted would fall of itself when ripe, still remained on the tree.

CHAPTER VII.

Few will hesitate to recognize that it is desirable that we in Canada should possess an unimpeachable narrative of the events which preceded the war of 1812, if it be only to learn the errors and shortcomings traceable in our history. There is no people but is bettered by a review of the past, especially when taught that, no misrepresentation of fact or motive can permanently prevail over truth. The authentic records remain to guide us by their trustworthiness. I will strive to fulfil this duty fairly and honestly, with a due sense of its responsibility.

Mr. Madison entered upon his presidency on the 4th of March, 1809. In the first months of his administration the negotiations with Erskine, the British minister, which subsequently created so much expectation, and were followed by so keen disappointment, were being carried on, Erskine, appointed by Fox, had been retained in his position by the succeeding governments.

David Montague Erskine, who became the second lord Erskine, was born in 1776. He was educated at Westminster, and afterwards at Christchurch, Oxford. He had been elected for Portsmouth in 1806, at the date when his father, who had represented that place, was named lord chancellor. In 1799, during a visit to the States, he had married a daughter of general Cadwallader, of Philadelphia. He succeeded his father in 1823. After his recall in 1809 he remained unemployed in the diplomatic service until 1825. Finally, appointed to Munich, he continued at that post for fifteen years. In 1843 he returned to England, receiving a pension, which he enjoyed until his death in 1855. He was an honourable man, but his sagacity was not of a high order. In the trying position in which he was placed, he gave no proof of that ability which

can steer safely through dangerous entanglements. Moreover, he was without experience, and failed to observe with fidelity his instructions, preferring to follow his own convictions of what was expedient.

Towards the close of Jefferson's administration, Erskine had reported several conversations with Madison, Gallatin, and Smith, in which they had expressed the desire for a good understanding between the two countries; based, as he represented, on sentiments of a kindly feeling to Great Britain. On the subsequent publication of the despatches, it was affirmed that Erskine had misunderstood what had been said on this point, and had attributed a meaning to Gallatin's utterances they did not possess. It was Gallatin who had taken a principal part in the matter. According to Erskine, Gallatin had represented that Madison was an admirer of the British constitution, and was not only not inimical, but even well disposed to Great Britain: a striking contrast to Jefferson, who was always ready with praise of France and her people, and never failed to act upon his strong antagonism to all that was British. Gallatin likewise admitted, that the enactment of non-importation was injurious to the United States; that his desire was to arrange the difficulties that prevailed, and to establish an intercourse between the two countries of entire reciprocity. At the same time, the committee on foreign relations had brought forward a proposal of non-importation from both Great Britain and France, and the exclusion of all vessels of war from United States ports.

Madison had argued that the British orders-in-council having been passed, before it was known whether or not the United States would submit to the enforcement of the Berlin decrees, no discrimination could be made in the United States between the two belligerents. Therefore, before he could make an exception in favour of Great Britain, concessions must be granted by her to admit of his so doing. On the other hand, the British government had complained of the exclusion from the United States of a class of English manufactures, and that their ports were closed to British ships of war. Hopes had

been expressed in the United States, that the enforcement of the non-importation act with both France and Great Britain, and the refusal to admit to any port, equally the ships of war of both countries, would lead to some satisfactory arrangement. Gallatin suggested a settlement of the right of impressment claimed by Great Britain, by a law excluding foreign seamen from American vessels. According to Erskine, Gallatin had also stated that the United States government would abandon the claim to carry on trade with the colonies of the belligerents, not allowed in time of peace. Subsequently, Erskine accepted Gallatin's view that he had misunderstood what had been said.

In April, Erskine received an answer to his despatches. Canning wrote that he could not himself trace in the acts of the United States government, or in the debates of congress any change to the more favourable state of feeling to which Erskine had directed his attention. Nevertheless, as Erskine had suggested, Canning had sent additional instructions relative to the affair of the "Chesapeake," and the orders-in-council, in separate despatches, both dated the 23rd of January, 1809.

The exclusion of all French ships of war from the United States ports, similar to the rule enforced against British vessels, being practically carried into effect, Erskine was to tender an offer of the reparation that had been proposed by Rose ; the disavowal of Berkeley's orders ; the restoration of the men ; provision for the widows and children of those who had been killed, excluding British deserters ; the right to claim as deserters any of those surrendered, if proved to be British. The United States government was asked to disavow captain Barron's retention of British deserters ; his denial that he had any on board ; and likewise the outrages committed on the persons and property of British subjects in connection with the event. The United States was also asked to enter into an engagement, not to countenance any act of their agents in encouraging desertions from the British army and navy.

In view, however, that the matter of future desertion was to be provided for by an act of congress, the British government to avoid fruitless controversy would waive the claim for disavowal, if the United States would receive back the men as the reparation demanded ; the British government, as an act of "spontaneous generosity," making suitable provision in the mode offered for the widows and orphans of those killed. Erskine was specially charged, in case of a demand being made for some mark of royal displeasure against admiral Berkeley, to refuse compliance.

In the second despatch Canning expressed the willingness of the British government to withdraw the orders-in-council of January and November, 1807, as they applied to the United States, on three conditions :—

1. The repeal of the non-importation, and non-intercourse acts, and those excluding foreign ships of war as they applied to Great Britain ; but retaining them in force with regard to France, and the countries adopting her decrees.
2. The renunciation by the United States, during the war, of the pretension to carry on trade with the colonies of the belligerents, not allowed in the period of peace.
3. Recognition of the right by British ships of war to capture vessels, not observing non-intercourse of the United States with France, and her allies. Canning stated that this condition had been mentioned by Pinkney in London as one to which his government would have no objection. Subsequently there was misconception on this point, Pinkney having declared that he had been misunderstood.

Should these conditions be distinctly conceded, Canning engaged to send without loss of time a minister to the United States, to include the accepted propositions in a formal treaty. As, however, the United States government might desire to act upon the accepted conditions without this delay, Erskine was authorized to agree that, on the immediate or prospective repeal of the embargo and other restrictive acts, steps would be taken by Great Britain to exempt the United States from the operations of the orders-in-council. Canning authorized

Erskine to submit to the United States government the entire despatch, establishing the perfect honesty of the proceeding on his part. This official communication to the United States government was not made by Erskine. Why it should have been withheld it is difficult to explain, for the three conditions were communicated ; and, with the confidential relations existing between Gallatin and Erskine, it is not easy to assign a satisfactory cause for the non-communication of the entire despatch.

Erskine was without experience in diplomatic life. He owed his position to his father's eminence, having been nominated by Fox. He was brought in contact with the president, intent on satisfying public opinion, a practised politician, never at any time scrupulous ; and with Gallatin, one of the ablest men remembered in United States history. Erskine appears to have held the firm conviction, that the settlement of the dispute in any form would be equally beneficial to Great Britain and to the United States, and that if he effected it, his government would condone any inexact observance of his instructions. The acceptance of the arrangement in America would, he conceived, more readily lead to the recognition in London of the conditions entered into by him. In this spirit Erskine conceived that he might depart from his instructions, and assign to them the latitude he thought expedient.

It cannot but strike the modern reader as strange, that doubt should not have arisen in the minds of Madison and Gallatin, as to the authority Erskine possessed. The despatch defining his powers was not communicated, as his instructions enforced ; but both must have understood that he was departing from the conditions by which he should have been guided, and which had been made known to them. On his side, Erskine felt assured that, as he had placed the United States in a hostile position to France, and had established commercial intercourse with his own country ; and as no question as to impressment had been raised, and the embargo was removed, the agreement would be ratified in London, even if not in precise accord with the conditions laid down for him to follow.

When the agreement was matured, a proclamation of the president, dated on the 19th of April, declared that after the 10th of June the embargo, and non-intercourse act would cease, so far as they bore against Great Britain and her dependencies: intelligence, which caused throughout the union the fullest satisfaction and delight.

The proclamation of the president having removed all obstacles to an explanation, Erskine offered reparation for the "Chesapeake." He pointed out that, the British government, so soon as the news became known, had disavowed the proceedings of admiral Berkeley, and had recalled him from an important command; that the disavowal was now renewed. An engagement could be entered into to restore the men, if acceptable to the United States government, with a suitable provision for the unfortunate sufferers on the occasion. In place of describing this undertaking, as Erskine was instructed, as one of "spontaneous generosity" on the part of the British government, it was made to appear as part of the reparation. Indeed, the whole text of the note bears the impress of being worded in undue subordination to the requirement of those to whom it was addressed.

The secretary, Smith, in accepting this proposition, followed Madison's instructions, and described the provision for the proclamation as a "result incident to a state of things growing out of distinct considerations." This phrase, meaningless as it is, suggested that the president's proclamation was not in any way a condition in the agreement with Erskine: a pretension false in fact. But Madison did not stop here. According to Smith's assertion in 1811 after his quarrel with the president, in spite of his protest, in defiance of the courtesies of diplomacy and of good manners, and as if ignorant of the insult he was offering to the British nation, when both he and Gallatin must have had strong doubts whether the agreement would be affirmed, Madison directed the following sentence to be added: "I have it in express charge from the president to state that, while he forbears to insist on the further punishment of the offending officer (admiral Berkeley), he is

not the less sensible of the justice and utility of such an example, nor the less persuaded that it would best comport with what is due from his Britannic majesty to his own honour."

The insertion of these gratuitous insulting expressions leaves ground for doubt whether Madison really desired a reconciliation. It is said that he would never understand their offensive character; but they are equally to be condemned for their want of sense. While it was the duty of the president to vindicate the honour of the United States as he held expedient, it was in no way incumbent upon him to express his views as to the line of conduct that appertained to the ruler of Great Britain. Whatever tone he felt it proper to take in assertion of the national dignity he represented, it was at variance with the laws of international courtesy, and even ordinary decency, to indulge in a petulant exhibition of bad temper, the result of which he could not foresee.

That a British minister could have accepted such a sentence without a protest appears remarkable. His duty was plain, to have firmly declined to transmit the note containing the offensive words. Erskine did nothing of the kind, and he was severely censured for his conduct. His explanation shews the weakness of his character, and his unfitness for his position. He stated, that he had endeavoured to obtain a modification of the expression ; he had, however, imagined nothing disrespectful was intended, so he thought it better to pass over this little ebullition of feeling than to make it the occasion of protracting the settlement.*

In his second note Erskine announced the determination of

* There are two previous occasions in the history of this continent when this tone was taken. On the surrender of Saint John's on the 2nd of November, 1775, Montgomery, after speaking of the fortitude and perseverance of the garrison, introduced the phrase, "I wish they had been in a better cause." Preston, in command, insisted on their being entirely erased, "the garrison being determined rather to die with their arms in their hands, than submit to the indignity of such reflection." The words were expunged. [Ante, V., p. 458.]

On the 12th of October, 1777, at the "convention" at Saratoga, Gates demanded that the British force should surrender as prisoners of war and ground arms at the intrenchments ; Burgoyne replied, "the entire army was resolved to

the British government, in consequence of the anticipated withdrawal of the non-intercourse act, to send an envoy extraordinary with powers to conclude a treaty embracing all points in dispute. He expressed the willingness of the British ministry to withdraw the order-in-council of 1807, on the conviction that the president would issue a proclamation for the renewal of intercourse. The three conditions which Canning had directed Erskine to submit received no recognition. He allowed himself to be persuaded, that mention of them was unnecessary, and accordingly they obtained no consideration.

The knowledge that an arrangement had been effected with Great Britain was received throughout the United States with every sentiment of approval and satisfaction, excepting by the sullen, discontented opponents to peace, who regarded such a treaty as likely to lead to rupture with France. This feeling of jealousy and hate appeared in strong contrast to the gratification otherwise generally expressed. Upon the commercial world the effect was remarkable. Within a few weeks after the removal of the embargo, a thousand vessels had sailed for foreign ports. Throughout the community the news of the establishment of the old relations with Great Britain was the source of much gratulation, except with the war party, who regarded the establishment of any such relations with abhorrence.

The news of the arrangement reached London in May, 1809. For a few hours great satisfaction was expressed, but when the facts of Erskine's disregard of his instructions became known, the disavowal of the government, although it created much disappointment, was learned with little surprise.

Canning stated that the instructions given to Erskine in no way authorized the agreement he had accepted. In his despatches to Erskine, he severely arraigned his conduct, and refused to ratify the proceedings. An order-in-council was

throw themselves with the greatest desperation on the enemy rather than accept such conditions." Burgoyne's conditions of surrender were accepted. [Ante, VI., p. 270.]

however passed, protecting for a limited time the shipping of the United States, which, under the provisions of the engagement made, had sailed to ports affected by the order-in-council.

Canning had never attached importance to the professions of friendliness to Great Britain, which Erskine, impressed by their sincerity, had brought to his notice. He pointed out that the concessions reported by Erskine as shewing the United States to be favourable to Great Britain, were illusory. There was no security for the continuance of restrictions against France; the non-intercourse act expired with the session of congress, and not the slightest assurance was given on the subject by the conditions of Erskine's arrangements. France then would be in precisely the same condition as Great Britain. It is astonishing to read, as United States writers have argued, that Canning ought to have trusted to the good faith of Madison for the fulfilment of the conditions, that he had directed his minister to include in the treaty. It is admitted, that Canning's objection as a theory cannot be disputed, but that his fears on the subject were groundless. Supposing this view to be correct, I will ask, in no improper spirit, if this confidence be justified by the history of United States diplomacy with Great Britain? In no case could it be the guiding principle of a statesman responsible to parliament, and, if brought to practical application would be contemptuously laughed at by the diplomatist. It was only a few years previously that Jefferson and Madison on their own authority unhesitatingly rejected the treaty signed in London by Pinkney and Monroe; the last named in a few months to become Madison's secretary of state.

The order-in-council that refused recognition of Erskine's arrangement, announced that United States vessels which had cleared between April the 19th and July the 20th should have liberty to proceed on their voyage. Erskine was recalled.

The despatches were published, and the president and his ministers were much mortified that they appeared in Erskine's

communication to have sought the arrangement with promises of concessions, and professions of friendliness. These assertions they did not fail to explain away. A correspondence ensued with Erskine, who expressed his readiness to modify his statements. Madison and his friends argued that Erskine had received two sets of instructions, and that the negotiation had never been intended to have a favourable issue. In London, at a meeting with the United States minister, Pinkney, Canning entered into full explanations of the non-observance of his instructions. He stated that a new minister had been appointed, and would shortly sail for America.

In consequence of the non-acceptance of the conditions of Erskine's agreement, a proclamation was issued by the president in August, setting forth that the non-importation act had again come into effect, prohibiting all importations from Great Britain, France, or their dependencies.

The new minister, Mr. Francis James Jackson, arrived in October. It is the custom of many United States writers, in their first mention of his name, to throw doubts upon his capacity, temper, and judgment, and so to prepare their readers for the failure of his mission owing to his unfitness for the position. Nothing can be more disingenuous, or more at variance with honesty. The explanation for this course is that Jackson was a contrast to Erskine in every respect, and was not bewildered by the president and his ministers. From the beginning of the negotiation, he completely out-argued them. Finally, Madison brought the decision to a close, with an arbitrariness and abruptness, that can only be regarded as proof of the weakness of his position. Moreover, Madison was desirous of changing the issue of the dispute with Great Britain. In the letters of Erskine, he had been represented as offering extreme compliance to obtain a settlement of the dispute. He was now desirous of assuming a spirited line of conduct, as if in vindication of the national honour. His astuteness had taught him, that it was with no ductile personage he had to deal, but with one who would adhere to his instructions,

and not be entangled by specious arguments and illusory engagements.

Jackson was the son of a clergyman who had been tutor to the fifth duke of Leeds, by whose interest he had obtained high church-preferment. His son, carefully educated, had entered the diplomatic service when sixteen. He was now thirty-nine, and his ability, which obtained for him consideration, had led to his appointment to important missions. Many of his letters have been preserved,* to establish his claim to a high reputation. He had been ambassador to Constantinople; minister to France during the short peace of 1801; minister plenipotentiary at Berlin in 1806; and in 1807 had represented Great Britain in Denmark on the seizure of the Danish fleet. When in Berlin he had married a lady of rank, who accompanied him to Washington. Some writers mention with a sneer that she was a fashionable woman with a toilette, and that Jackson bought a carriage, and his servants wore livery. The glimpse we obtain of Mrs. Jackson in the correspondence is that she was an estimable woman, with the manners of a lady, and not fond of show or display.

Jackson arrived at Washington on the 8th of September. Madison was in Virginia. Smith apologized for his absence on the score of health, and the inconvenience of the journey. Jackson courteously accepted the explanation, but declined to profit by the indirect suggestion, that a visit to the president at his place would be agreeable; nor would he listen to Smith's suggestion, that he should enter into official discussion previously to his official audience. The president arrived on the 1st of October, and Jackson was received on the 3rd. As it had been intimated to him, that Madison was an enemy to form and ceremony, and that his visit was simply to be as from one gentleman to another, Jackson appeared in afternoon dress. He was introduced by the secretary of state, who retired. During the conversation a negro servant brought in some glasses of punch, with seed cake. Jackson was tired;

* The Bath Archives. Diaries and Letters of sir George Jackson (his brother), London, 1873.

he took his *coup*, to use the old Canadian word, with much satisfaction, and favourably contrasted with his *sans cérémonie* visit the audiences he had held with European sovereigns.

Jackson was delighted with the scenery of Washington, and described the great beauty of the country. Even those who do their best to belittle him, do him the justice to recognize that he was one of the first to speak of it with praise. Every one was civil to him in the extreme. He mentions the fact, and it has some political significance, that his visitors were of a different set from those who had visited Erskine, all of whose friends had been of the extreme democratic party. Those who called upon Jackson were unknown to Erskine. Writers have described Jackson as having come apparently to remain some time ; his letters distinctly state that he stipulated for a twelvemonth's service, but that, if desirable, he would remain the second winter."*

It is probable that if Jackson had been entrusted with the duties which Erskine had been called upon to perform, he would have consummated some agreement acceptable both to Madison and the British cabinet. Failing to do so, he would have written home for instructions, and, if he had not succeeded, there would have been simply a miscarriage of the negotiation similar to that experienced by Rose. By such a result, with the moderate party in the United States, which includes so much that is eminent in talent and dignity of character, the government of Madison would have been placed so far in the wrong as seriously to interfere with his future prospects. Erskine did not see his chances in this respect. He appears to have fallen entirely under the glamour of Gallatin's ability, and the plausibilities of Madison. It is plain from Erskine's letters that his own sentiments had been impressed by their representations of friendship to Great Britain. Moreover, he was himself sustained by the profound conviction, that it was necessary to establish a cordial and complete understanding and co-operation between the two countries. He had placed the fact in prominence in

* Bath Archives, I., p. 24.

his mind, intent upon reaching it as he was best able. The "complete and cordial" arrangement of the difficulties Canning was unable to recognize. Both in the reparation offered for the "Chesapeake" event, and in the settlement of the commercial estrangement, the principles enforced by Canning were set aside by Erskine.*

One difficulty experienced by Jackson in the negotiation was the tone taken by Smith, the secretary of state. "Every third word," said Jackson, "was a declaration of war." Contrary to diplomatic usage, the United States officials declared that they would negotiate only upon paper. With a practised writer like Jackson, little was gained. Personally, he was treated with extreme courtesy. The fact in a social point of view may not be important, but politically it possessed significance. At an official dinner the president took in Mrs. Jackson, and Jackson Mrs. Madison. In Jefferson's day, his own dinner parties had furnished him an opportunity to cast a slight upon the British minister.

Jackson experienced unusual difficulties in his negotiation. Madison took his stand upon Erskine's arrangement, questioning the right of the British government to disavow it. Subsequently, he changed his argument, and complained that the cause of disavowal was not explained. Jackson was soon made to understand that Madison desired the absolute sur-

* Jackson thus described the impression made upon him by reading the correspondence as it existed in his office. It is contained in a letter to his brother. "Washington, 20th October, 1809. Erskine is really a greater fool than I could have thought it possible to be, and it is charity to give him that name. It would require a volume to explain to you the mischief he has done on the present occasion in particular, and how his conduct generally has given encouragement to the hostile disposition this government manifests towards us. Now that I have gone through all his correspondence, more than ever am I at a loss to comprehend how he could have been allowed to remain here for the last two years. He has bitten off his mother's ear with a vengeance, and well deserves to have the fable further realized, if there were any sort of political gallows on which to try an experiment of suspended animation."

"To be obliged to wade through such a mass of folly and stupidity, and to observe how our country has been made, through Erskine's means, the instrument of these people's cunning, is not the least part of my annoyance. Between them our cause is vilified indeed." [Jackson, Vol. I., p. 25.]

render of the orders-in-council. The news from Europe encouraged the United States government. I have previously alluded to the abandonment of the peninsula by the army of sir John Moore, and the successes of Napoleon. Wagram had been won, and lord Chatham had blundered at Walcheren. The news from Europe betokened that Great Britain would experience disaster, and created with a large party in the United States a sentiment of her powerlessness, in no way conducive to the settlement of the dispute, except on the terms the president might dictate.

Jackson replied to the intimation that further communication should be in writing, by stating that, the proceeding was unusual in diplomacy. He, however, made no difficulty in this respect, and so the negotiation was thus continued. He pointed out, that, although Erskine had not communicated the despatch *in extenso* as he had been instructed, he had specified the three conditions set forth for his observance, and they had been recognized. He renewed his offer for reparation for the "Chesapeake," in accordance with the instructions given to Erskine, notwithstanding the ungracious manner in which that offer had been received. In the matter of the orders-in-council, he reserved his own proposals until he should hear the views of the president. Madison argued that an explanation should be made of the causes of disavowal by the British government. Jackson advanced that the three conditions which Erskine had been instructed to observe had been made known to the United States executive; nevertheless, with this knowledge the agreement had been concluded on articles substituted for them. Although Madison could not dispute the fact, for it is established by Erskine's admissions, he would not embarrass himself by argument as to its truth, but continued the negotiations by taking exception in discourteous language to the statement. He asserted that the government had no such knowledge, that with such knowledge no such arrangement would have been made, and that such insinuations were inadmissible from a foreign minister. Jackson answered that he scrupulously

adhered to the facts as they were known to him, and that he must continue to vindicate the honour and dignity of his Majesty's government, when called in question.

The answer by Madison to this note was that, no further communication would be received from Jackson. The truth is plain ; Jackson completely out-argued Madison, the writer of the despatches signed by Smith, while Madison took refuge in the unworthy, cowardly proceeding of endeavouring to discredit Jackson with his government. It is in vain to attempt to set aside the fact that the three conditions sent for Erskine's observance were communicated to Madison's government, and that, with this knowledge, an agreement not in accord with them had been entered into. From the evidence we possess it is not possible to think otherwise than that the character of the arrangement made by Erskine was attributable to the influence exercised over him by Madison and Gallatin, aided by his own strong feeling of the desirability of a settlement of the despatch.

This communication did not pass unnoticed. Jackson replied through the secretary of legation, Oakley, expressing regret that a cause should have been found for breaking off the negotiation, owing to his having adhered to the statement admitted in the correspondence, that the three conditions set forth in the instructions to Erskine were known to the United States government ; and for the reiteration of the fact, communicated personally to himself, that Erskine had no other instructions beyond these admitted to be given him. He did not imagine that offence would be taken with this statement : certainly none was intended. One point in connection with his mission, reparation for the affair of the "Chesapeake," had even remained without notice. He addressed a circular to the British consuls, notifying them of the suspension of his functions, making known the purport of his own communication sent by the secretary of legation. He has been bitterly arraigned for the proceeding by some modern writers, as appealing to the people against the president, whereas his communication was addressed to the British consuls only.

The executive had suffered much embarrassment from the accusations of the federal press, that the president had inveigled Erskine into an agreement he had no authority to make. It may have been Jackson's own opinion; as in modern times it must be the view of every unbiased student of the evidence: but no such insinuation as Madison pretended to discover can be found in Jackson's letter. If there had been courtesy, it was on the part of the secretary of state, who, notwithstanding Jackson's plain statement that Erskine had one set of instructions only, repeated the supposition that such was not the case. The position taken by Madison had the advantage, that he apparently acted in vindication of the national dignity. It set out of view for a time the weak points of the previous negotiations, and gave a fictitious strength to his administration. When congress met in December, the president was sustained by a majority, and Jackson's "insolence," and his circular to the consuls, were denounced in no measured terms. This difficulty, however, remained, that there was no strong party prepared to accept a common policy for the future.

I append such part of the correspondence exchanged on this occasion as will throw light on the event. I do so without comment.

The secretary of state wrote on the 1st of November: "It would be improper to conclude the few observations to which I purposely limit myself, without adverting to your repetition of a language implying a knowledge on the part of this government, that the instructions of your predecessor did not authorize the arrangement formed by him. After the explicit and peremptory asseveration that this government had no such knowledge, and that with such a knowledge no such arrangement would have been entered into, the view which you have again presented of the subject makes it my duty to apprise you that such insinuations are inadmissible in the intercourse of a foreign minister with a government, that understands what it owes to itself."

Jackson, in reply, wrote on the 4th: "I am concerned, Sir, to be obliged a second time to appeal to those principles of public law, under the sanction and protection of which I was sent to this country. . . . You will find that in my correspondence with you, I have carefully avoided drawing conclusions that did not necessarily follow from the premises advanced by me, and least of all should I think of uttering an insinuation where I was unable to substantiate a fact. To facts, such as I have become acquainted with them, I have scrupulously adhered, and in so doing I must continue, whenever the good faith of his Majesty's

government is called in question, to vindicate its honour and dignity in the manner that appears to me best calculated for that purpose."

The secretary of state on the 8th closed the correspondence, and with it Jackson's mission. "Finding that in your reply of the 4th instant you have used a language which cannot be understood but as reiterating and even aggravating the same gross insinuations, it only remains, in order to preclude opportunities which are thus abused, to inform you that no further communications will be received from you."

CHAPTER VIII.

Jackson applied for his passports, giving ground for the supposition that he was about to leave the country. His object, however, was to secure "safety and inviolability for himself and his family." The publication of the correspondence had led to the most violent abuse of him in the party press, and he was constantly receiving letters threatening him with personal violence. As he did not feel himself justified in abandoning his post, he wrote home for leave to return, and asked that a frigate be sent to take him and his family to England. He, however, immediately left Washington to join his wife at Baltimore.

Madison's proceedings by no means obtained universal commendation; on the contrary, they were much censured, except by his political supporters. In Baltimore, Jackson received so much attention, that the press supporting the president proposed to tar and feather every one who asked Jackson to his house. At New York he was equally well received. There is in the United States a large mass of the population whose inherent good sense in any crisis, be it political, or of any other character, makes itself felt and heard, so that the perpetrator of a folly is exposed to severe ridicule, the effect of which depends on the fact whether the hide of the sufferer be pachydermatous or not. The view taken by those outside of government influence was that Jackson's letters had not been understood. At New York he received much social attention. In Massachusetts a resolution was passed in the legislature, exculpating him from blame, and censuring the president.

Jackson remained some time at Clermont, a few miles up the Hudson, charmed with the beauty of the perfect landscape of this attractive neighbourhood. There he looked

upon Fulton's new steam boat with pleasure and foresaw the incalculably great and beneficial results to be derived from it. Desirous of visiting other portions of the United States before returning home, he ascended the Hudson to the city of Hudson, then the head of the navigation, and crossed Connecticut and Massachusetts to Boston. He was there received with great consideration and invited to a public dinner. The fact is not to be regarded as a mere social success. It was typical of the sentiment of a powerful party in the United States that looked upon Jackson as the representative of Great Britain, who was present in the country with the design of re-establishing amity. Owing, however, to the overbearing treatment he had received from the president, the negotiation had failed.

Jackson passed through the western part of the state of New York and visited Niagara; he thence descended the Saint Lawrence to Montreal and Quebec. At both cities he was invited to a public dinner.* At Quebec he met sir James Craig. I can find no record of any event of political significance that passed between them.

Lord Wellesley wrote that he had been commanded to express the undiminished sense of the zeal, fidelity, and ability manifested by him in a long course of public service. Morier having been appointed as *charge d'affaires* to succeed him, Jackson returned by the frigate which brought Morier to New York. He left New York on the 16th of September, to arrive at Portsmouth on the 19th of October.

Jackson's recall had been asked for by president Madison. The request was conceded, with the expression of the opinion that the request might more properly have been made without the suspension of his functions, and without the censure which had been pronounced upon him, as he did not appear to have committed any intentional offence. As no minister was immediately appointed, Madison's government conceived that

* The synopsis of the account of the dinners is given at the end of this chapter. Both bear upon the history of this date; for the first men of Canada in both cities attended to manifest the respect Jackson had called forth by his conduct.

the mission would be left in the hands of the *charge d'affaires*; consequently Pinkney was notified that should such prove the case, he was to take his leave and return home : a discretionary power of which shortly afterwards he availed himself.

I have deemed it proper to enter into the mission of Jackson, for it has been brought forward as one of the leading causes of the war. I do not entertain this view. The narrative of the subsequent events will enable the reader to assign the position to be given to it, among the influences which led to the hostilities of two years later.

The congress of 1810, after much tumultuous debate, repealed the non-intercourse act ; but power was given to the president, in case Great Britain or France before March of the ensuing year refused to modify their trade regulations, to prohibit intercourse with the nation which so failed.

While France continued to make seizures of United States ships, and confiscated the cargoes, or burned at sea the property that could not be brought into port, on pretence that it was British property fraudulently represented as that of the United States, Napoleon determined on a step which he trusted would lead to the great object of his desire ; war between Great Britain and the United States. Champagny, now duke of Cadore, in August, 1810, on learning the repeal of the non-intercourse act, wrote to Armstrong, the United States minister to France, that the Berlin and Milan decrees were revoked, and would cease to have effect on the 1st of November, it being understood that, in consequence of this declaration, Great Britain would revoke the orders-in-council, and abandon the new principles of blockade she had established. Cadore described his own particular satisfaction in communicating the intelligence, adding that the emperor entertained the highest regard for the United States, their prosperity, and commercial success being included in his policy.

Armstrong reported the fact to his own government, and gave the information to Pinkney in London. Pinkney submitted it to lord Wellesley, then colonial secretary, and asked

for the repeal of the British orders-in-council. Wellesley replied that, whenever the repeal of the decrees was positively acted upon, and the condition of neutral commerce restored, as it was prior to their promulgation, the greatest satisfaction would be felt in relinquishing a system which had been necessitated by the policy of France. Wellesley, however, could see nothing absolute in the revocation. Armstrong's reply to Pinkney's inquiry on the subject was, that the repeal depended on the revocation of the orders-in-council, or on the establishment by the United States of non-importation from Great Britain.

With all this assurance of friendship, no indemnity could be obtained from France for the seizures lately made. It was likewise a matter of doubt if confiscation would not be pronounced on United States vessels then entering French ports. It is true that Cadore had declared that United States vessels not "denationalized," to use Napoleon's word, by having touched at a British port, or having been visited by a British cruiser could enter France; but the court of prizes declared that until the decree of repeal had been promulgated the condemnation would continue; and, as no such decree had been issued, the situation remained unchanged.

The declaration, made by Cadore that no trade would be allowed with the allies of France in which she herself could not participate, had been followed by seizures in Holland, in the northern parts of Spain which had again come under French control, and in Naples; also at Hamburg, Denmark and the Baltic ports. Several of these seizures were British vessels carrying produce under forged papers, with the design of passing off as United States shipping; there was among them, however, a very large number of United States vessels. Armstrong made a strong protest against the proceeding. He received for reply that no measures had been taken by the United States against the unprovoked aggressions upon neutrals by Great Britain; that France had been included in the non-intercourse act; that French vessels had been seized in United States ports; in these facts lay the causes of the

late sequestration. If proper steps were taken against Great Britain, the property might yet be restored, and the future protection of United States property determined by convention.

The intelligence that the vessels were to be sold led to a powerful protest on the part of Armstrong. He clearly proved that the pretension of French vessels having been seized in the United States was false; and he pointed out to the French government, that in place of immediately acting against the non-intercourse act, the emperor had waited until he was able to seize a hundred United States vessels.

The answer to this remonstrance was the Rambouillet decree of the 23rd of March. It was not acted upon until May, when the sale of 132 vessels with their cargoes, in the aggregate worth \$8,000,000, was ordered, the money to be placed in the sinking fund. It set forth that the same confiscation should be exercised against all United States vessels, that entered a port of France, or were in occupation by the French.

These proceedings, known in the United States in June, caused great emotion. In July, instructions were sent to Armstrong to declare that, as indispensable evidence of the just purposes of France, and in order to effect the operation of non-importation against Great Britain, not only the repeal of the Berlin and Milan decrees must be promulgated, but a satisfactory provision be made for the restoration of the property sold under the Rambouillet decree.

History can scarcely adduce a parallel to the conduct of Madison. Three months had elapsed, and no reply had been received to the protest against the Rambouillet decrees. It was even a matter of doubt, if the prohibition under pain of confiscation against United States vessels entering a French port was in operation or not, when Cadore's intimation of the repeal of the Berlin and Milan decrees reached the United States. It was at once unhesitatingly accepted as a solution of the difficulty. Madison believed that he had before him the means of compelling Great Britain to revoke the orders-in-council. The date must be recollected when Madi-

son acted upon this policy. It was when Napoleon was at the zenith of his power, and Great Britain most depressed. I have described the causes of this feeling,* and Madison possibly felt that he could follow with impunity any course he held expedient.

He issued a proclamation based on the despatch of Cadore, which had assigned a date for the discontinuance of the Berlin and Milan decrees. No formal, distinct engagement had ever been asked, no treaty precisely defining the conditions had even been proposed. All that had been received was the French declaration, written in florid language; a declaration not only unsustained by any diplomatic observances, but at variance with the proceedings of the French courts of law.

No credit was given in Europe to this repeal, and all that was happening in France established that the continental system would be carried out with vigour. Prussia had been forced to issue a decree excluding both British and United States ships from her harbours. A decree had been published enforcing that all British merchandise should be burned. The principal articles of maritime commerce were refused admission into France. Even tobacco and cotton were to be supplied by domestic cultivation. Holland, the Hanse towns and the territory on the North sea were annexed to the empire. Russia was the only country open to foreign commerce.

Nevertheless, president Madison in a formal proclamation announced the repeal of the decrees as a matter of positive fact; and that in consequence, armed French ships would no longer be excluded from United States ports. The purport of the proclamation was evident, to open the way to non-intercourse with Great Britain.

The proclamation of the 2nd of November, 1810, declared the actual repeal of the French decrees as defined by the act of congress, and Gallatin issued a circular to the col-

* *Ante*, p. 123.

lectors of customs, announcing that commercial intercourse with Great Britain would cease on the 2nd of February. As the time drew near, forfeiture was pronounced, which should embrace all property that might arrive after the end of February, even though the goods had been ordered and shipped before the president's proclamation was known. In order to make the policy more stringent, an act had been introduced reviving the non-importation clauses of 1809-1810, and authorising the president to employ the troops at his disposal to enforce them. The bill had not been pressed, owing to the looked for arrival of a new French minister, Serrurier, who it was expected would bring unquestionable proof of the repeal of the French decrees; and what was of equal importance, promise of indemnity for the late confiscations. An attempt was made to reconstruct the bill providing by enactment, against the forfeiture of the goods shipped; when Randolph proposed the repeal of the act under the provisions of which, the president's proclamation had been issued, in order to effect the entire abandonment of the commercial exclusions, which he held to be more injurious to the United States than to Great Britain. In opposition to this course the extraordinary doctrine was broached, that the act in question had been passed as a pledge to France, which the nation was in honour bound to observe. It was urged in reply that the act was simply a rule for the guidance of the United States, and in no way furnished a pledge of any kind. There could be only one such pledge: by treaty. Even if the act had been designed as an offer of friendliness to France it had not been so accepted by her; for two vessels which had since arrived in France had been seized, and seizures continued to be made. Notwithstanding that the facts were in direct opposition to the pretensions of the members sustaining the president, they adhered to their view; but the act allowing the entry of goods into the United States, property shipped prior to the 2nd of February, was carried.

The French minister arrived during these discussions. He was without instructions as to the late seizures, and he

brought a positive refusal on the part of the French emperor to make indemnity for the seizures under the Rambouillet decree. Notwithstanding the feeling of dissatisfaction this intelligence gave rise to, as if to justify the government the non-importation clauses of 1809 were revived, with power to the president to suspend the operations of the act on the revocation of the British orders-in-council. The moderate members of the house opposed the bill, but the extreme war party was desirous of throwing greater impediment in the way of any reconciliation with Great Britain. The question of impressment was re-opened, after it had remained entirely out of public view for three years ; and those bringing it to notice urged that no trade with Great Britain should be re-opened, until a satisfactory arrangement on this subject had been effected. After much difficulty and dispute, the bill was carried at the extreme close of the session, the house sitting through the whole of Sunday to pass it.

Early in 1811, Pinkney left his post as minister in London. He had endeavoured to convince lord Wellesley that the repeal of the Berlin and Milan decrees was undoubted, and on that ground he had pressed for the abrogation of the British orders-in-council. Wellesley replied that, if Cadore's orders had been correctly interpreted, he should not hesitate to concede the revocation, had it been the only matter asked. There was, however, the condition attached that Great Britain should renounce what were described as "the new British principles of blockade," Napoleon demanding that blockades should be confined to fortified stations, and that commercial unfortified towns, harbours, mouths of rivers, and the adjoining sea coast, should be free from blockade. Such a doctrine, at variance with the recognized laws of war, had never been included in an engagement to recall the orders-in-council, and Great Britain could not, or would not, consent to its recognition. Even granting that the French decrees were actually repealed, the refusal of recognition to this inadmissible principle could not justify the non-importation act directed against Great Britain alone ; especially if account were taken of the

arbitrary and destructive course of France against all commerce, which entailed on Great Britain the necessity of every effort of self-defence.

Pinkney contended that the United States government claimed no more than what had been admitted by the British government; that the places, with a blockading force before them, should alone be considered blockaded. In the same despatch, agreeably to his express instructions, the observance of which had been postponed, on the ground that no British minister of equal rank with himself had been nominated to Washington, Pinkney requested his audience of leave.

Wellesley disclaimed the view that the blockades instituted by Great Britain were not strictly in accordance with the laws of war, and the usages of nations. Moreover, it was a principle that the British government would not consent to include in any discussion of the orders-in-council. Four days afterwards Wellesley announced the appointment of Mr. Augustus I. Foster as minister plenipotentiary to the United States. Wellesley explained, that the delay in the appointment had not arisen from any disposition to treat with indifference the expectations of the United States government, but from the desire to make an appointment conducive to harmony. Of late the delay had arisen from the interruption of all public business, caused by the illness of the king, and the establishment of the regency.

Pinkney, however, persevered in his view, and he persisted in asking for his audience of leave. He wrote to his government that so long as the present administration continued in power, it was impossible to be friends with England.

One question, however, Pinkney arranged with lord Wellesley, the affair of the "Chesapeake," on the terms which had been traced by Erskine. Its final settlement, however, was reserved for the new British minister to effect.

It is difficult to enter into the motives which led Pinkney to abandon his mission. The instructions received by him were, that in case no successor was appointed to Jackson he should entrust the legislation to the secretary of the embassy,

and leave London ; the time of his "return to the United States was left to his discretion and convenience." Pinkney went entirely beyond his instructions. I may be wrong, but I can trace in his conduct the desire to obtain public notice to the extent of forcing himself into Madison's government. It was known at this date, that there was no amicable feeling towards Smith, the secretary of state, and it was not impossible that Pinkney conceived he had claims to the position ; that by some unusual self-asserting act of diplomacy towards the British government he would attract public notice, and by a *coup de théâtre* attain the distinction he desired. This view must suggest itself as we read his extraordinary official letter to lord Wellesley, in which he took upon himself to ask Wellesley what the new minister was to do when he reached the United States. "I presume," he wrote, "that the orders-in-council will be relinquished without delay ; the blockade of 1806 be annulled ; that the case of the 'Chesapeake' will be arranged in the manner heretofore intended ; and in general that such just and reasonable acts will be done as are necessary to make us friends." To this diplomatic note, written without instructions, on Pinkney's own responsibility, Wellesley replied by a private note, to the effect that it would "neither be candid towards you, nor just towards the government to countenance any interpretation which might favour a supposition, that it was intended by this government to relinquish any of the principles, which I have so often endeavoured to explain to you."

Pinkney purposely abstained from attending the prince regent's diplomatic levee. His absence could not escape observation, and it could only be ascribed to the hostile feelings he entertained. Wellesley wrote that in the official act of leave-taking the regent replied in terms of amity towards the United States, but nothing is remarked of his conduct to Pinkney. Pinkney in his official report said : "I stated to the prince regent the grounds upon which it had become my duty to take my leave, and to commit the business of the legation to a *chargé d'affaires*, and I concluded by expressing my

regret, that my humble efforts in the execution of the instructions of my government to set to rights the embarrassed and disjointed relations of the two countries had wholly failed, and that I saw no reason to expect that the great work of their reconciliation was likely to be accomplished through any other agency.

There are other accounts of the interview, in which the regent is described, after stating his desire of cultivating a good understanding with the United States, as having treated Pinkney with the coldest of official courtesy.*

When Pinkney reached the United States he found Monroe installed as secretary of state, who, after having been an opponent of Madison, had become a member of his government. He had assumed office on the 1st of April, 1811. The circumstance of giving his support to the president is a matter of United States history. Of Pinkney it need only be further remarked, that he was appointed by Madison attorney-general on the 10th of December, 1811.

In May, 1811, occurred the affair of the "President" and "Little Belt." As generally happens in such matters, there is great discrepancy in the narratives of the facts. So far as can be judged from the published statements, the "Little Belt," a war sloop of 18 guns, commanded by captain Bingham, was cruising in search of the "Guerrière," for which she was the bearer of despatches. On the afternoon

* An account of the interview was written by Jackson to Timothy Pickering, 24th April, 1811. It is to be found in "New England Federalism," (p. 382).

"It was not expected that he would so far depart from his usual urbanity as to decline the invitation that was sent to him in common with the rest of the foreign ministers to attend the Regent's levee. It was not probable after this, that the audience of leave which he claimed should answer his expectation. It was very short. Pinkney was told that the Regent was desirous of cultivating a good understanding with the United States; that he had given a proof of it in the appointment of a minister as soon as his acceptance of the Regency enabled him to appoint one; that the Orders-in-Council would have been repealed, but that His Royal Highness never could, or would surrender the maritime rights of his country. Mr. Pinkney then made some profession of his personal sentiments, to which he was answered, 'Sir, I cannot look into men's minds; I can only judge of men's motives by their conduct.' And then the audience ended."

of the 16th of May, being 100 miles to the east of the Chesapeake, a sail was observed, when chase was given. The ship was discovered to be a United States frigate, owing to her non-recognition of the signals made. The "Little Belt" consequently altered her course to the southward. In two hours afterwards, the frigate was discovered to be standing for the sloop, and it was seen that she was gaining upon her. At half past six, as the stars in the broad pennant became visible, the "Little Belt" hoisted her ensign, hove to, and prepared against surprise. About eight the vessel came within hail. According to the British account, the "Little Belt" asked what ship it was. The answer was a similar query. The question was repeated from the sloop, upon which a broadside of round and grape shot was fired into her. An action followed, which, according to the British account, lasted three-quarters of an hour. On a lull in the firing the same question was asked, and the name given. It was but indistinctly heard. The question followed if the "Little Belt" had struck, to which the reply was in the negative. The "President" fired no more guns, and stood off; both ships lay throughout the night, repairing damages. In the morning the "President," fully prepared for action, bore down upon the "Little Belt." When within hail, permission was asked to send a boat on board. The officer came with a message from commodore Rodgers, saying he lamented the transaction and had not thought the vessel was of so inferior force. The "President" was a 44 gun frigate with a full crew. In expressing his sorrow for the event he claimed that the "Little Belt" had fired first. He would willingly render every assistance in his power. The offer was declined, and the "President" sailed away. The "Little Belt" suffered severely in the contest; she had 11 killed and 21 wounded, and was so damaged that it was with difficulty she gained Halifax.

Commodore Rodgers' statement set forth that the "President" chased the ship in front of him; for what cause and under what circumstance, no explanation has ever been

given. He claimed that he was the first to put the question, "what ship is that? and," continued Rodgers, "I considered myself entitled by the common rules of politeness to the first answer." Nevertheless, he had reiterated the inquiry, and was answered by a shot. The shot was returned from the "President" without his orders. It was followed by three others in succession from the "Little Belt;" and, soon afterwards, by the rest of the broadside, and a discharge of musketry. "The repetition of the previous unprovoked outrage induced me," writes Rodgers, "to believe the insult was premeditated." Accordingly, he gave a general order to fire; the effect "in from four to six minutes produced a partial silence of his guns." Rodgers, having discovered by the unequal resistance that it must be a sloop of very inferior force to what he had supposed, gave orders to cease firing. In four minutes the attack of the "Little Belt" was renewed; upon which Rodgers found himself "under the painful necessity of giving orders for a repetition of our fire," and it was continued from three to five minutes longer. Observing the guns to be silenced, Rodgers asked what ship it was, and hove off. He stated, also, that the ensign had been hoisted at the mizzen peak at half-past 7, but it was too dark to discover its nationality.

Captain Bingham represented that on seeing that the vessel was gaining on him, and his signals remained unanswered, discovering also the stars in the pennant, at half-past six he brought his ship to, and hoisted her colours. At 8.15 the frigate coming within ear-shot, Bingham hailed and the "President" repeated the question. The query was repeated on both sides when the "President" fired a broadside. It was returned. The action became general for three-quarters of an hour, when the "President" ceased firing, and appeared to be on fire about the main hatches. The "President" then asked the ship's name, and if she had struck. On receiving a negative reply to the latter query, she sailed away. In the morning, the officer sent from the "President" said, that had Rodgers known the force was so inferior he would not have

fired. Bingham asked his motive for having fired at all. The reply was, that the first gun had been fired from the "Little Belt," which, said Bingham, "was positively not the case." "Nor," he added, "is it probable that a sloop of war within pistol shot of a large 44 gun frigate should commence hostilities. In the manner in which he apologized," continued Bingham, "it appeared to me, that, had he fallen in with a British frigate, he would certainly have brought her to action, and what further confirms me in that opinion is that the guns were not only loaded with round and grape shot, but with every scrap of iron that possibly could be collected."

About this time, a strong feeling had been called forth in New York by the capture of a United States vessel, richly laden, bound for France, and there had been two or three instances of impressment from ships at sea. The event itself, as it may be supposed, was the subject of much attention, and caused great excitement. The "President" was one of the vessels in commission for the protection of home commerce, and the question was consequently asked for what object Rodgers chased the "Little Belt." Many of the journals asserted that Rodgers had sailed with orders to rescue by force the men lately impressed. Monroe, however, on meeting the British minister, Foster, disavowed that any such orders had been given. As in the inquiry undertaken by Foster's request, all the officers of the "President" corroborated by oath Rodgers' declaration that the "Little Belt" had first fired, the matter was not prosecuted further by him.

I content myself with submitting the facts as they are presented on each side.

In November of this year, the reparation offered by the British government for the event of the "Chesapeake" was accepted: the restoration of the men to the deck of the vessel whence they were taken, and a pecuniary provision for the families of those killed not being British deserters. Monroe remarked, that the transfer of admiral Berkeley to another command, after his removal, could not be reckoned a part of the reparation, which indeed was too punctiliously limited to

do away with the sense of the original wrong. It was not a period in United States history, when the executive desired to act with friendliness and graciousness towards Great Britain. The settlement of this long pending difficulty (the event had occurred in June, 1807) was alluded to in the speech of the regent on the 7th of January, 1812, as "being finally removed." There is, therefore, no ground for adducing it as a cause of the war, although doubtless it created much of the bad feeling which reached its height in the declaration of hostilities.

The new congress of the United States, the twelfth, met in November, a month earlier than usual. It was the congress that declared war against Great Britain the following June. Those professing moderate opinions were in so small a minority, that they were helpless in the advocacy of peace. All the more violent members of the old congress had been returned, with many young members, all of whom from the west and south were determined upon war. Among them are two names connected with United States history in modern times, Henry Clay and John C. Calhoun. The new census was laid upon the table, by which it was shewn that the population was 7,239,903, including 1,191,364 slaves.*

The committee of foreign relations at once adopted an arraignment against Great Britain, setting forth that France had suspended her decrees, but that Great Britain was persevering in the enforcement of the orders-in-council, until France should abandon its restrictions on the introduction of British goods: a French municipal regulation over which the United States had no power. The grievance of impressment was renewed, with all its exaggeration and misrepresentation, and the strongest appeal was made to the popular passions. The committee recommended the increase of regiments, the call for the service of volunteers, and the enrolment of the militia. Porter, the chairman of the committee, brought in the report

* New York was shewn to be the most important state, returning 27 representatives; Virginia returning 23, but 392,518 slaves were counted in the representation; Massachusetts, with Maine, without a single slave, returned 20. The total number of representatives was 182.

that Great Britain ought to be resisted by war. Bills were hurried through the house to raise additional men, and to authorize the necessary war appropriations. Resolutions were passed in several of the state legislatures, pledging the states to stand by the federal government. New frigates were voted, and a loan of eleven millions was agreed to.

In this stage of the excitement, Henry sold his papers to Madison, and in March they were brought before congress. I have already described their character.* They were introduced to public attention with the hope of destroying the credit of the federal party, and were represented as furnishing proof of a design to destroy the union, by creating a political party in the eastern states prepared to advocate secession. For a time they caused a great sensation, for many without examination gave credit to the accusations. As the papers became known, and their contents were examined, they were found to contain no names, and really to be without political importance. They were, however, published at a time ripe for the growth of suspicion, and the utmost was made of their contents to increase the inimical feeling to Great Britain.

The period approached for caucuses to be held for the presidential election. Both in Virginia and Pennsylvania meetings had been held, but the leaders of the war party refused to recognize Madison as a candidate, unless he would declare for a war policy. Gallatin was opposed to war, and Madison was much influenced by his opinions. Gallatin saw before him the certain loss to be incurred, and the uncertain means of meeting it with a depressed trade, and with the necessity for loans and internal taxes. Madison stood in the position that he was constantly being assailed for his want of resolution; and de Witt Clinton and his secretary, Monroe, were ready to accept the nomination on the terms proposed. Madison agreed to the conditions on which his nomination would be secured. In a confidential message to congress in April, he recommended an embargo for sixty days. The bill

* *Ante*, pp. 66-69.

was introduced by Calhoun ; and on the question if it was a precursor to war, a prominent supporter of the executive, Grundy, replied that it was.

On this occasion Clay made a violent speech. He regarded the embargo as a war message, and that in sixty days there would be war. Congress, after the injuries received, would by receding cover itself with disgrace. The conduct of France in burning United States vessels did not cause him embarrassment. It might be a subject for future consideration. They could fight France too, if necessary. There was no doubt that the Indian tribes on the Wabash had been excited by the British ; and what could be thought of an emissary having been sent to stir up civil war ? They had complete proof that Great Britain would do everything to destroy them. War was no terrible thing. There was no terror in it, but its novelty.

The embargo act, to which a supplement was added forbidding exportation of goods and specie, was followed by another act giving the president power to enrol men, and to call upon the several states for a hundred thousand troops. An attempt was made to carry an adjournment, for members were beginning to understand the situation. One cause of the depression which arose was the failure in filling up the loan. Six millions only were taken : two-thirds by banks, one-third by private individuals. The attempt at adjournment failed. The leaders of the war party were determined to carry out their purpose. The question with them was not if the country was prepared, or unprepared, if funds were, or were not disposable : their effort was to commit the country irretrievably to hostilities, as in their view everything else would follow. When war once began, taxes could be imposed.

But Madison still hesitated. He was prepared to sign the bill declaring war, but not to assume the responsibility of its commencement. It was the course which the war party also was desirous of avoiding. The war must, not only, not appear to have been forced upon the president, but to stand before the world as the spontaneous act of the executive. A com-

mittee headed by Clay waited upon Madison, and he was plainly told that they would only support his nomination in caucus, upon this condition.

Madison accepted the engagement in full, and received the entire vote of the caucus on the 18th of May. While events were thus assuming this serious character at Washington, news was received from Barlow, who had succeeded Armstrong as minister to France, that he could obtain no indemnity for the late confiscations, and that there was no probability of any future commercial relaxation. He had endeavoured to effect some distinct decision as to the operation of the Berlin and Milan decrees, and he hoped to obtain an express exemption from them, so far as they affected the United States. The proposition was not one to obtain favour with Madison ; he had constantly maintained that the decrees had been revoked, and that his policy had been based on that opinion. To exempt the United States from their application would be a confirmation of the view taken by the British ministry, and the Federal party in the States. The reality of their enforcement was nevertheless made plain by the report of the French minister of foreign affairs to the emperor, then made known, in which the decrees were set forth as the settled policy of the empire, to be enforced without exception of any nation.

Nevertheless, Madison had to fulfil the engagement which he had contracted with the war party. The time seemed favourable for his doing so. Great Britain was depressed, France triumphant. Napoleon, to all appearances, was entering upon his campaign to administer to Russia the lesson he had taught to Prussia and Austria. Who could doubt his victorious return ? And then Great Britain would meet certain annihilation. A debate had arisen in the British house of commons which aided the policy of the war party. It was represented that a conciliatory spirit had not been shewn to the United States, while the orders-in-council were defended as the means of retaining the trade of the world with British shipping. Canning, who was not then in the gov-

ernment, replied that he had considered them as retaliatory to the French decrees, and that this view had constantly been expressed. If they were not so, and were a contrivance to secure the monopoly of manufactures against France and the carrying-trade against the United States, they would stand upon different ground. What he conceived the orders-in-council to be was, that they were the most perfect, as they approached a belligerent measure, and receded from a commercial one. Percival did not dispute this view, but he held that the whole continental system must be taken into account. The exclusion of British goods was a war measure, not a municipal regulation, and whatever the incidental injury to neutrals, Great Britain had the right to persevere in her system, so long as Napoleon enforced his decrees. This view was sustained by the ministerial majority, but both Canning and Wilberforce voted against it.

There was thus no reason to hope for a change in the policy of Great Britain. On the 1st of June Madison sent his war message to congress, in which he specified the wrongs received ; the impressment of seamen ; the disturbance of the United States marine ; the violation of neutral rights ; the declared blockades unsupported by force. There was further England's suspected instigation of Indian hostilities. No one better knew that this statement was positively at variance with truth. I have related * that Craig, on the 18th of March, 1811, authorized Morier, the *chargé d'affaires*, to inform the United States government verbally of the hostile feelings of the Indians, and that the Canadian government was exerting itself to the utmost to keep them in quietness. The support given by Canada in the Indian war formed, however, one of Madison's grievances against Great Britain.

Randolph moved to refer the president's message to a committee of the whole, but the vote placed it with the committee of foreign relations. Two days later Calhoun, on the part of the committee, brought in the report, which was a

* Ante, p. 78.

repetition of the message of Madison, with the conclusion that the United States must support her independence by war. It was followed by a bill declaring war against Great Britain. The events of the ultimate passage of the bill is a part of United States history. Sufficient to say, a memorial of the house of representatives against the war was received, with a protest on the part of the principal merchants of New York. On the 18th of June the bill passed both houses ; the president immediately gave his signature to make it law. War was now declared.

JACKSON'S RECEPTION AT QUEBEC AND MONTREAL.

An account of the public dinner given to Mr. Jackson at Montreal appears in the *Quebec Gazette* of August the 16th, 1810. His arrival was no sooner known than the proposition was made to shew him some mark of public respect. Owing to the necessity of Mr. Jackson having to return to New York, the dinner which was offered him took place the following Thursday. The first men of the city, with sir Gordon Drummond, the commanding officers of regiments, and the heads of departments were present. Mr. McGill was in the chair, and judge Panet and Mr. Richardson were the vice-chairmen. The dinner, at which 120 sat down, was held at Holmes' hotel, and it reads strange that an apology was made for the absence of fruit, there being none "this year of any kind in the country." Jackson's health was proposed with the sentiment, "May the distinguished ability, dignity and firmness displayed by him in the late negotiation in Washington, in support of the honour of our king and the interests of our country be followed as an example by all British plenipotentiaries." Among the toasts was one to "the immortal memory of lord Nelson." Another of the toasts was "May the United States, in appreciating their true interests, ever remain in peace and friendship with the country of their forefathers." The last toast was, "May the democratic part of the United States feel, that brutal abuse of a public minister for fidelity to his trust, marks a ferocity that even savages would blush at."

Jackson spoke with great sense and discretion, referring in no way to his own position. He said that the principles by which he had been actuated were, that with every disposition to promote harmony with other powers, the honour and dignity of our sovereign must at all risks be vindicated, and that the commercial interests and the naval supremacy of Great Britain must be as strenuously asserted in the cabinet, as they are maintained upon the ocean by those heroes to whom our interests in that element are deservedly entrusted.

The toast proposed by him was, "Union in the councils and prosperity to the commerce and agriculture of the two Canadas."

Subsequently during the evening he proposed, "Prosperity to the United States of America." He stated that in the States there were many who appreciated the value of a good understanding between the two countries : men able and well informed, who would be an ornament to any society, and were capable of "unravelling the intrigues and exposing the artifices of their and our enemies ; who were convinced that the interests of Great Britain and America not only do not clash, but are likely most to prosper when most united. It was to such men they had to look for the establishment of friendly relations. For himself, he would carry home with him no other regret than that, of not having been the instrument of reconciling differences which had been too actively fomented, and suffered too long to exist."

A visitor from the United States asked permission to give a toast, "Old England, who, with Roman pride and Roman power, hath during a period of eighteen years resisted and repelled the enormous and overgrown power of democracy, and who with extended arms hath successfully lashed and buffeted the wave of despotism which had overwhelmed and mercilessly destroyed all continental Europe."

After sir Gordon Drummond had given the health of Mr. Jackson, and Jackson had given the "City of Montreal," a part of the company left for the theatre. As the party entered the band struck up "God save the Queen," and the audience loudly cheered.

On Saturday, Jackson, with his family, embarked in a bark canoe for Quebec, manned by a French Canadian crew of twelve. They were attended by a large number of the citizens, who loudly cheered as the canoe was paddled from the wharf. [Quebec *Mercury*, 16th August, 1810.]

A similar welcome was given in Quebec. Sir James Craig was present at the dinner, with bishop Plessis, the judges, the executive councillors, and the superior officers of the garrison; the Anglican bishop was absent in Upper Canada, and could not attend. The honourable James Irvine was in the chair. After the regular toasts had been given, Monseigneur Plessis proposed "The British Nation, may it long enjoy the blessings of heaven for the kind and liberal hospitality, relief and support it afforded to the Catholic clergy after the Revolution of France and Spain."

The preceding day being the duke of York's birthday, sir James Craig gave a *Fête Champêtre*. After the usual toasts, the governor-general gave the toast of "Mr. and Mrs. Jackson: a pleasant passage to their native country and a happy meeting of their friends." "Rule Britannia" having been played after one of the toasts, Jackson, with the permission of sir James Craig, proposed the melody should be followed with "three cheers," in which every voice most heartily joined. [Quebec *Mercury*, 23rd August, 1810.]

BOOK XXVIII.

THE WAR OF 1812;

THE CAMPAIGNS OF 1812-1813,
TO THE DEFEAT OF PROCTER'S FORCE
ON THE 5TH OF OCTOBER, 1813.

CHAPTER I.

Before entering upon the narrative of the war of 1812, I feel called upon to refer to the proceedings in the imperial parliament during the first weeks of the session of that year, from the fact that they narrowly escaped entailing a great disaster upon Canada. Mr. Percival's government would neither modify the orders-in-council, nor prepare for war. The miscalculation of events was so great that the duke of York, as commander in chief, recommended that the 41st and 49th regiments should be brought from Canada and replaced by a foreign regiment and one of the line.*

The executive could not plead ignorance regarding the threatened complications. A committee of merchants in London, interested in the trade and fisheries of North America, addressed a memoir adducing evidence of the utter inability of the Canadian provinces to resist an invasion in force, and Prevost had forwarded to lord Liverpool the letter from Barclay, the consul at New York, with the opinion "that war was inevitable."†

The marquis Wellesley had long urged the necessity of entering into negotiations with the United States, or that steps should be taken to shew that Canada would be defended. The administration, however, gave no heed to the warning. With the majority of the ministry the premier had formed the view that the United States might be troublesome in their diplomacy, but could not be led to engage in hostilities, and that no change of policy towards them was called for.

Nevertheless, events were multiplying around the government, to signify the danger of continued doubt and hesitation. Owing to the great depression in trade there was wide-spread

* Can. Arch., Q. 119, p. 168. The duke of York to lord Liverpool.

† Can. Arch., Q. 117.2, p. 311. Quebec, 27th May.

distress, especially in the manufacturing districts, all of which were suffering from the non-importation act. The whole country was convulsed by the agitation which arose from poverty, joined to the high price of the necessaries of life; while the privations caused by a winter of unusual rigour had increased the hardships almost universally felt. In January, 1812, the marquis Wellesley resigned. In the negotiations which followed, he sent a message by lord Eldon, that he would cease to feel any resentment against Mr. Percival, from gratitude at being relieved from the "degrading situation of serving under him."* No one could be found to take the foreign secretaryship but lord Castlereagh, and then only after a refusal on his part. Lord Sidmouth eventually joined the ministry, but on condition, that he could act as he saw fit regarding the orders-in-council. He declared that he would prefer to abandon them, rather than enter upon war for their maintenance.

The British government had constantly refused to admit that the repeal of the decrees announced in the letter of the French minister was satisfactory, and had called upon the United States government to produce the instrument by which they had been rescinded. On the 21st of May the document was communicated, which, it was claimed, satisfactorily established their revocation. Dated the 28th of April, 1811, it set forth that the repeal had been made owing to the act of congress of the 1st of March, 1811, which had enacted the exclusion of British vessels from the ports of the United States. Thus it was plain that the repeal as set forth in the despatch of the French minister of the 5th of August, 1810, was simply conditional, and not absolute and final as had been pretended.

In the house of commons the opposition had constantly urged the repeal of the orders, a concession Percival persistently refused. During the heat of this tumult Percival was assassinated by Bellingham in the lobby of the house of commons. The tragedy had considerable weight on the pub-

* "Administrations of Great Britain," by sir George Cornewall Lewis, p. 332.

lic mind, joined to the fact that it caused the disruption of the ministry. All business became temporarily suspended.

Lord Liverpool's administration was formed in June, and was essentially that of Percival. Nevertheless, one of his earliest intimations made to the house was that, the decision had been formed to suspend the orders-in-council. The announcement took place on the 17th of June, nearly at the same time that war was declared at Washington on the 18th. The revocation of the orders-in-council was looked upon in London as removing all causes of war, and it was expected it would be so regarded in America. Intelligence of the repeal, with this interpretation of its possible consequences, was sent to Quebec.

The news reached Canada on the 2nd of August through Foster, then at Halifax, to whom it had been addressed. Prevost immediately despatched colonel Baynes, the adjutant general, with a flag of truce to major general Dearborn at Greenbush, opposite Albany, in command of the United States troops on the frontier, informing him that he had received despatches which might lead to a suspension of hostilities, preliminary to a treaty of peace. The despatches he had forwarded by a flag of truce to New York: consequently he hoped no hostile movement would be made by the United States troops. On hearing that such orders had been given, he would see that hostilities ceased on the side of Canada. On the 8th, Baynes delivered his letters to Dearborn, who received him with courtesy. Explaining that it was out of his power to conclude an armistice, Dearborn stated that he would have no hesitation in giving orders to commanding officers to confine themselves to defensive measures. He had no control over general Hull, but he would notify him of what he had himself done. If this course were disapproved, four days would be allowed to elapse before hostilities were renewed. Baynes returned to Montreal on the 12th of August. On August the 26th Prevost received a letter from Dearborn, to the effect that the president had received no official communication from the British govern-

ment to warrant a continuance of the provisional cession of hostilities; consequently, at the end of four days from the communication reaching Montreal, the arrangement would cease to be obligatory.*

On receipt of the despatch from Foster, Prevost had communicated its contents to Brock, likewise informing him of Bayne's mission. Writing on the 2nd of August, he informed Brock of Foster's suggestion, that the British should abstain from any invasion of the United States. Prevost added that he believed Hull had exceeded his orders in possessing himself of Sandwich, for Monroe had told Foster that Amherstburg would not be attacked. When the news arrived in Toronto, Brock was in possession of Detroit. Had this intelligence arrived a month sooner, the operations of Brock would have been paralysed, and Upper Canada would have been overrun by Hull's force unchecked in its advance.

I cannot see that blame can be cast upon Prevost for the armistice. His instructions were positive from London, and it is not easy to explain how they could have been disobeyed. Its influence on Brock's operations has been magnified. On the 24th of August, Brock received Prevost's letters informing him of the cessation of hostilities. On September 4th he learned at Kingston of the president's disapproval of the convention. His operations were only interfered with for the space of ten days. On the other hand, that it greatly aided the United States is indisputable. It enabled them to regain confidence after Hull's surrender, and gave time for reinforcements to be sent to the frontier, and steps to be taken for organizing a naval force on the lakes. Prevost received further despatches from London, dated the 10th of August, that the news of the declaration of war had been received, but it was hoped that the repeal of the orders-in-council would restore tranquillity; that owing to the extended warfare in which Great Britain was engaged, the capability of defending Canada must be limited. Should Canada be invaded, it was hoped that the known valour of the troops would meet the

* Can. Arch., Q. 118, pp. 123, 160, 163, 224.

emergency. No hope was given that the requisition for specie could be met. The difficulty caused by this want was known, but the necessity of the hour prevented any money being sent to the province. Arms for 10,000 men were being forwarded. Prevost might believe that the utmost had been done to reinforce the troops. The Royals had been despatched from Barbadoes; the 41st could be kept in Canada, or not, as he considered expedient. The 95th was ordered to Nova Scotia.

It is not possible to conceive a country less prepared to enter into war than Canada. When hostilities were declared, the population of the two provinces could not have exceeded 425,000 souls. The frontier from Quebec to Montreal of 180 miles, thence to Kingston 160 miles, was exposed on its whole length to attack from the river. Following lakes Ontario and Erie to Sandwich, the distance is 500 miles. The narrow river Niagara of 35 miles, the upper and lower parts of which are navigable, forms the water way between these lakes. The opposite bank is in the territory of the United States, available for any movement by a hostile force. On the west of lake Erie the Detroit river of nearly 23 miles runs from lake Saint Claire, and furnishes a similar threat from the western shore. At the same time the province can be entered by the southern shore of lake Saint Claire, to the mouth of the Thames, the United States possessing the command of the lakes. All the regulars in the country for the defence of both provinces were 4,450 men; of this number 1,500 only were above Montreal.* What was equally important, there was but little specie in the public treasury.

* The British regiments in Canada at this date were the 8th, 41st, 49th and 100th, with a small detachment of artillery. There were also present the 10th Royal Veterans Regiment, the Newfoundland Fencibles, the Glengarry Fencibles, lately raised and disciplined. The force above Montreal consisted of the

41st Regiment.	900
10th Veterans	250
Newfoundland Regiment.	250
Royal Artillery	50
Provincial Seamen	50
Total.....	1,500

Against this limited defence the whole force of the United States was engaged, with a population of nearly 6,000,000 white men, with troops enlisted by the general government and called out from the states by tens of thousands and a loan of eleven million dollars authorized for the operations of the war.

The want of money in Canada was remedied by an act of the legislature, equally commendable for its wisdom, as for its beneficence, authorizing the issue of army bills, not to exceed £250,000 currency (one million dollars). Bills of the value of £25 and upwards bore interest at 4 per cent., payable on demand by government bills of exchange in London at thirty days' sight. The four dollar, and ten dollar bills did not bear interest.

On the 15th of February, 1812, the act was enlarged to admit of the circulation of £500,000 (\$2,000,000). The issue was authorized of bills not bearing interest of the denomination of \$1, \$2, \$8, \$10, \$12, \$16 and \$20, which, with the \$4 issue, were not to exceed in amount \$200,000. A third act was passed in January, 1814, by which the amount authorized was extended to £1,500,000 (\$6,000,000).

The first act provided for the payment of the interest, and guaranteed the ultimate payment by the province, if any remained unpaid at the expiration of five years. The second act limited the amount of interest payable by the provincial exchequer to the original obligation of £15,000 (\$60,000), and gave no security for payment beyond the original loan.

It does not appear that the circulation ever exceeded \$4,820,000. Owing to the inconvenience arising from the scarcity of small change, authority was given for the issue of the notes of smaller amount to the extent of eight hundred thousand dollars. These bills bore no interest, but the holders had the right of demanding £50 bills and upwards bearing interest, in exchange. This legislation answered every purpose both in carrying on the war, and meeting the requirements of life. Sheriffs and bailiffs were held account-

able for the interest of the bills which they received, and it was distinctly enacted that no public officer should profit by any interest receivable.

These bills remained in circulation until the close of the war. They were redeemed in cash in December, 1815. On the 23rd of November, 1815, sir Gordon Drummond issued a proclamation, that the army bills would be paid in cash, and that no interest would be allowed after the 14th of December. The bills were thus called in. In his speech to the legislature on the 20th of December, he told the members that they had the satisfaction of seeing that the executive government had redeemed its pledge, by payment of the army bills in circulation. The house replied, expressing its satisfaction, adding that it was "a measure which exemplifies in a most striking manner the national good faith, and which will facilitate similar arrangements hereafter, should the public interests ever require a renewal of them."

The operations of the army bill office were continued after the 1st of August, 1817, from time to time, until the 24th of December, 1820, when the office regulating their issue was finally closed.

I have anticipated the date on which I am engaged, from my desire to make the subject of this issue of army bills understood. By the operations of the act, the war was carried on with spirit and energy, relieved from the privation arising from an insufficient currency. Never for a moment was any failure of confidence felt in the bills in circulation. The advantage of this currency was really incalculable, both to the imperial and provincial governments. In February, 1815, it was estimated that \$5,200,000 had been issued, of which \$3,200,000 only was bearing interest at 6 per cent., amounting to \$192,000, of which the province paid \$60,000, so that the interest paid by the imperial government did not amount to $2\frac{1}{2}$ per cent. One great advantage was the facility with which large sums could be transported from one part of the province to the other, avoiding the expense and danger in the carriage of specie, and to a great extent ren-

dering unnecessary the serious and trying duty of escorts. In the two occasions at Toronto and fort George, when the United States troops succeeded in taking these places, the contents of the military treasury was destroyed, with but trifling loss to the public, for the bills were easily burned, and the attacking force obtained nothing in the shape of specie for booty.*

The first shock of war was felt in the west. Fortunate it was for Canada that the general in command was Brock, who clearly understood the responsibility attached to his position, however imperfect the means at his disposal to safeguard the province. It was his duty to keep the communication open from Coteau du Lac, the head of the three eastern rapids, to Kingston, thence to Toronto, and westward to the river Detroit. He had to furnish garrisons for the fort on the island of Saint Joseph, on the north shore of lake Huron ; for Amherstburg, on the Detroit river ; for fort Erie, at the southern end of lake Erie ; for the post at Chippewa, at the head of the Niagara rapids ; for fort George, where the Niagara river debouches into lake Ontario ; and also to defend Toronto and Kingston. To fulfil this multiplied duty he had 1,500 men, regular soldiers : while the whole province of Upper Canada contained a population only of from 80,000 to 90,000 souls.

War did not take Brock by surprise : he had long regarded it as inevitable. So soon as the fact of its declaration reached him, he despatched two companies of the 41st to the Niagara frontier ; he assembled his council in order to summon an extra session of the legislature ; in a small boat, with Evans, the brigade major, and his aide-de-camp, Glegg, he proceeded to fort George, where he established his headquarters. Brock's impulse was to attack and seize the United States fort on the east side of the river, fort Niagara ; but as he had not received official communication of the war, he hesi-

* This subject has been ably treated by the late Mr. James Stevenson, general manager of the Quebec bank. "The war of 1812 in connection with the army bill act." I refer the reader to this excellent memoir for further information.

tated to take the responsibility of the step. Early in July, however, he obtained a copy of a United States paper with the president's message. It unmistakably confirmed the news. Accordingly, he called out the flank companies of the militia, which gave him an increase of 800 men. The appeal was cheerfully answered ; although many became impatient under military restriction, and, with a force so constituted, Brock could not hope, that in an extremity, the whole militia he could assemble would exceed 4,000 men.

We can better understand the great service rendered by Brock when his correspondence with Prevost is considered. He received no encouragement from the governor-general to take energetic measures. On the contrary, Prevost spoke of a declaration of war as an event he believed to be impossible. Even when declared beyond dispute, judging by the opposition shewn by the eastern states, he held that offensive measures would not be speedily adopted.* Mr. Foster likewise strangely failed to comprehend his position as British minister. Not only no information of the declaration of war of the 18th of June was received in Montreal until the 7th of July, but it ought to have been known to him that, attendant on the hostile proceedings taken in congress, Hull had commenced his march to Detroit on the 1st of June, and, at this date when Prevost wrote,† Hull was at Detroit, preparing for the invasion of Canada on the 13th. A few days afterwards Prevost wrote to Brock that the limited numbers of the force

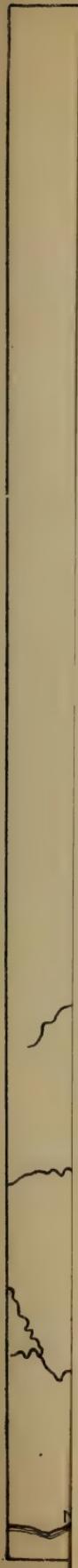
* Adjutant general Baynes to Brock, Montreal, 8th July, 1812. Tupper's Life of Brock, p. 199.

† The extraordinary language of this letter on the part of the governor-general, charged with the safeguard of the province, was as follows : " Whilst disunion prevails among them, their attempts on these provinces must be feeble ; it is, therefore, our duty carefully to avoid committing any act which may, even by construction, tend to unite the eastern and southern states, unless by its perpetration we are to derive a considerable and important advantage. But the government of the United States, resting on public opinion for all its measures, is liable to sudden and violent changes ; it becomes an essential part of our duty to watch the effect of parties on its measures, and to adapt ours to the impulse given by those possessed of influence over the public mind in America." Prevost to Brock, Montreal, July 10th, 1812. [Tupper's Life of Brock, p. 201.]

in the province would not justify offensive operations, unless calculated to strengthen a defensive attitude: and he repeated the opinion that the attempt on the province would be feeble. Two days afterwards Hull began his invasion of Canada, and issued his proclamation.

Hull's force, which consisted of 2,000 men, had been ordered from the Ohio to Michigan in anticipation of the war, as Madison expressed it, "with a prospect of easy and victorious progress." The thin and scattered population of Canada, the inability of Great Britain to send large reinforcements, the reported discontent of many of the inhabitants so carefully set forth in Willcock's *Guardian*, and belief in the general unwillingness of the population to defend the country, had created confident hopes of the success of the expedition. The first mishap was, that the schooner "Cayahoga," containing the baggage and the hospital stores for Detroit, was taken on the 3rd of July, near Amherstburg, by lieutenant Rolette, of the provincial service, in command of the armed brig "Hunter." It furnished much important information in the papers it contained.

On the 12th of July Hull had completed his preparations for the invasion, and with several field pieces crossed the Detroit river a short distance above Sandwich. The proclamation he issued is well known. It is to be found in so many narratives of this event that its repetition here *in extenso* is unnecessary. There is a tradition that it was written by general Cass of Detroit, afterwards known for his constant and bitter hatred of everything British. With the object it had in view, it was not without ability, but it was characterized by great mistakes. The tone taken was that of certainty of conquest, and hence the threats it contained. It offered protection to the unoffending inhabitant. The United States troops had come to find enemies, not to make them. The people of Canada, separated from Great Britain, had no interest in her political well being. They had long felt her tyranny and had known her injustice. Language of this character might be pleasing to the settlers



from across the frontier, who had entered as strangers, and to their descendants. They were not loyal, and were not identified with the history of the province. They could be appropriately told that they were children of the same family as the people of the United States, and Hull might remind such as these that their fathers had fought for the freedom and independence the republic they enjoyed. No blunder could have been greater than to address such language to the U. E. Loyalists. With scorn and contempt they listened to the declaration that they would be "emancipated from tyranny and oppression, and restored to the dignified station of freedom." How many of them thought of all that their sires had undergone, the persecution they had endured, and the resistance they had unceasingly offered, that they might live and die under the British flag. To talk to these men of being "restored to the dignified station of freedom" seemed a mockery and an insult.

What constituted its greatest defect and what in the earliest events of the war reflected upon Hull's own troops was the threat of a war *à outrance*, if the Indians were found fighting on the British side. The proclamation put completely out of view that Canada was only a part of the British empire, and that the execution of the threat in Canada would justify the spirit of retaliation whenever the United States soldier, or sailor became a prisoner. The language is unmistakable, and is a proof equally of the anticipation of immediate success, and, the low estimate held of the manhood of and dignity of character of the British Canadian.

Hull assured the province, that he had no doubt of his success, that he had come prepared for every contingency, and that his force would "look down" (!) all opposition, "the van-guard of a much greater." He continued, "if, contrary to your own interests and the just expectation of my country, you should take part in the approaching contest, you will be considered and treated as enemies, and the horrors and calamities of war will stalk before you. If the barbarous and savage policy of Great Britain be pursued,

and the savages be let loose to murder our citizens and butcher our women and children, this war will be a war of extermination. The first stroke of the tomahawk, the first attempt with the scalping knife, will be the signal of one indiscriminate scene of desolation. No white man found fighting by the side of an Indian will be taken prisoner; instant destruction will be his lot. If the dictates of reason, duty, justice and humanity cannot prevent the employment of a force which respects no rights and knows no wrong, it will be prevented by a severe and relentless system of retaliation.”*

Within ten days Brock replied by a proclamation. I think that every British subject, no matter what the latitude and longitude of his place of birth, but must surely feel pride in contrasting its calm, dignified, and temperate patriotism with Hull’s arrogant assertions, and presumptuous threats. It is conceded that it was mainly the work of chief justice Powell; but bearing Brock’s signature, it must have also borne the impress of his mind. It set forth that the insult of the demand to seek voluntarily protection from the United States, and the slander cast on the government of Upper Canada, were best answered by the fact, that no one was to be found who had been injured by the government in person, property or liberty. Where was a country, it was asked, in which the growth of prosperity and wealth had been so rapid? Settled forty years before by the veterans exiled from their possessions for their loyalty, not a descendant was living, who had not acquired property greater than that of his ancestors. Separation from Great Britain would only cause them to become a part of the territory of the United States, to share with that country exclusion from the ocean, and it is well to bear in mind that when this sentence was penned, it was not the days of the railway. The unavoidable consequence would result in re-annexation to France, and, at the period when it was written, the assertion was by no means an exaggeration; for the opposition to Napoleon by

* Tupper’s Life of Brock, pp. 208-9.

Great Britain was the one influence, which prevented the dictation of his will to the United States. The people of Canada were not dismayed by the refusal of quarter "should an Indian appear in arms." The concluding words to the proclamation were "This inconsistent and unjustifiable threat of refusing quarter, for such a cause as being found in arms with a brother sufferer in defence of invaded rights, must be exercised with the certain assurance of retaliation, not only in the limited operation of war in this part of the king's dominions, but in every quarter of the globe. For the national character of Britain is not less distinguished for humanity than strict retributive justice, which will consider the execution of this inhuman threat as deliberate murder, for which every subject of the offending power must make expiation." *

Having placed the Niagara frontier under the charge of lieutenant-colonel Myers, Brock proceeded to Toronto for the purpose of opening the house on the 27th of July. He appealed in the crisis to the members as free men to defend their land ; he asked for an amendment of the militia laws ; he dwelt on the necessity of the suspension of the habeas corpus, and enforced the obligation of contributing to the provision for the demands of the militia. Brock did not conceal the fact of the mischievous influence which the proclamation of Hull had exercised in some directions. The few scattered French Canadians who had crossed from Detroit remained inactive, and some of the militia, composed of the Norfolk settlers from the United States and their descendants, had abstained as a body from acting on the order to assemble. The fact was too well known to be concealed. "A few traitors," said Brock, "have already joined the enemy, have been suffered to come into the country with impunity, and have been harboured and concealed in the interior ; yet the general spirit of loyalty which appears to pervade the inhabitants of this province, is such as to authorize a just expectation that their efforts to mislead and

* Tupper's Life of Brock, p. 211.

deceive will be unavailing. The disaffected, I am convinced, are few. To protect and defend the loyal inhabitants from their machinations is an object worthy of your most serious deliberation." *

There was a disloyal party in the house, the leaders of which were Willcocks and Marcle, both of whom in a few months deserted to the United States. They did all that was possible to encourage gloomy forebodings, and create the desire of conciliating the invaders. Through their influence the house, by a majority of two, refused to vote the suspension of the habeas corpus. After passing the required money bills, as there was nothing to be hoped for from prolonging the proceedings, the house was prorogued on the 5th of August.

It cannot be denied, that the first consequence of Hull's invasion was to strike with terror the population in the neighbourhood of his operations. Even the Indians of the Grand river were affected, for the chiefs who had accompanied Hull, sent by him to the settlement, returned with the announcement that the tribe would remain neutral. No more important service was rendered by Brock than his restoration of the general confidence. Whenever his personal influence prevailed, the effect was immediate. His confident bearing in the legislature awoke determination and courage in all directions. He infused into all who listened to him his own unconquerable spirit. The descendants of the U.E. loyalists, acting upon the inherited sentiment of their sires, determined to risk all in the defence of the land ; and the rapid success of Brock in the field, while it totally changed the current of public feeling where it was doubtful, affirmed the national sentiment to the fullest in the quarters where it was entertained. He proved to be the man equal in every respect to the situation, and it was his genius and courage that first lighted up the patriotism and manhood by which Canada was preserved.

The island of Saint Joseph, at the north of lake Huron, was held as a post by a small garrison for the protection of

* Tupper's Life of Brock, p. 220.

the few traders passing to and from lake Superior. The commandant was captain Roberts. Immediately on the declaration of war, Brock sent Roberts a notification of the fact, and in doing so gave instructions for an immediate attack of the United States post of Michillimackinac, on lake Michigan, if practicable; * and if Saint Joseph were attacked, to defend it to the utmost. Brock, on the 28th of June, assured of hostilities, repeated the command. The same day that Roberts received these instructions, a letter from Prevost of the 25th reached him, ordering him to secure his post; but under necessity, to make a safe retreat from it. From the dilemma of acting upon these opposite orders, Roberts was extricated by a letter from Brock, telling him to use his own discretion. The agent of the Hudson's bay company at the post was Mr. Toussaint Pothier, in after years known as a member of the legislative council. On being asked to support the expedition, he readily gave his concurrence. The preparations were soon made, and the flotilla of canoes and boats, gathered as they could be found, left on the 16th of July, skirting the north shore of lake Huron to the straits of Mackinaw. The force consisted of 33 men of the Royal Veteran battalion, and 160 Canadian *voyageurs* armed with fowling-pieces and muskets. Two 3-pdrs, kept at the island more for firing salutes than for offensive purposes, were taken by the party. About 400 Indians and half-breeds were likewise present. At the early dawn of the 17th of July Roberts landed, and, drawing up his force before the fort, summoned the commandant to surrender. Quite unprepared for an attack in no way looked for, the fort surrendered with its garrison, consisting of 61 regulars of all ranks, "with a quantity of military stores and many bales of valuable furs." †

* The position of fort Michillimackinac is shewn on map, Vol. V., p. 1 [vide also p. 26]. Saint Joseph is the second of the islands from the east, the first being Manitoulin island.

† Captain Peter Robinson, an elder brother of the chief justice, afterwards related his surprise on seeing the British colours in the fort. He was an active fur trader, and a few weeks previously had been in the fort when held by the United States. No such proceeding as its transfer to British authority was supposed to be probable.

Roberts, in a despatch to the adjutant-general, explained that the attack had been necessitated by the receipt of information that Michillimackinac was to be reinforced, and in such circumstances his own position would have become untenable. This early success led the Indians, with few exceptions, to join the British side. It created a most favourable influence throughout the province, and established confidence in many directions, where doubt and want of firmness were finding place. It is not a pleasing duty to record that Roberts received no mark of distinction for this service, although his "zeal and judgment and his recent eminent display of these qualities," were brought by Brock distinctly to Prevost's notice.

The fact throws some light on the character of Prevost, and is one of the many proofs of his unfitness for the responsible position of conducting this war. His hesitating want of purpose and his dread of not being in accord with the views expressed in London, fretted his mind and led him to regard inactivity as a wise policy. While writing to Brock,* acknowledging the service, he added: "I must confess my mind has been very much relieved by finding that the capture took place at a period subsequent to brigadier-general Hull's invasion of the province, as, had it been prior to it, it would not only have been in violation of captain Roberts' orders, but have afforded a just ground for the subsequent conduct of the enemy, which I now plainly perceive no forbearance on your part would have prevented."

This side of Prevost's character calls to some extent for sympathy. He had to satisfy the British ministry, who entirely failed to understand the position of Canada, and had neglected to prepare for the war, on all sides in America, known to be imminent: a want of appreciation of the true facts which doubtlessly increased the aggressiveness of the United States. It must be plainly stated that the preservation of Canada to Britain in the opening years of the war was in no way due to lord Liverpool's ministry or to the efforts of

* Tupper's Life of Brock, p. 235.

the colonial office. The province owed her national *status*, and her very safety to the distinguished and able British soldiers who were present, who, by their devotion and ability, obtained the confidence of the province, and by the courage and conduct of the Canadian militia, who unshrinkingly followed these men, to obtain the triumphs they achieved. No such want of statesmanship is possible in the working of modern imperial institutions. The empire is freed from the incubus of those days which weighed down merit by interest and favour. The truth, unpalatable as it is, must be clearly stated. The view I express is not a gratuitous assertion, but unmistakably established by evidence, which even in these days is read with pain.

In September, after Detroit had been taken, Prevost wrote instructions to Brock to evacuate the place, subject to the discretion allowed him, assigning as a reason that he had sent reinforcements to the full extent of his ability; for he could expect no more men from England, and that the eastern frontier required every soldier in the country for its defence. He quoted the letter of Bathurst of the 4th of July, which expressed the hope of the imperial government that preparations for defence could be suspended, and that it was not thought necessary to direct the preparation of further supplies. "This," added Prevost, "will afford you a strong proof of the infatuation of his majesty's ministers upon the subject of American affairs, and shew how entirely I have been left to my own resources."

Brock, previous to summoning the legislature had sent colonel Procter* of the 41st to command at Amherstburg. The garrison consisted of 200 of the 41st, 50 of the Newfoundland company, and 300 of the militia, with a detachment of Royal artillery, being 600 men in all. Hull had crossed above the small village of Sandwich, 16 miles to the

* Dr. Brymner has drawn my attention to the fact that in all histories the name is spelt Proctor. The one exception is Richardson, who was a subaltern of his regiment, the 41st. Several of his letters in the archive branch in his own plain bold caligraphy establish the proper spelling Procter.

north, unopposed, for there were no troops in the neighbourhood. He had here deliberately established himself and had sent out detachments to gather provisions, which they did with a heavy hand, and tried to awe the population. The scattered settlers had not the slightest power of resistance.

Some three miles north of Amherstburg, a sluggish stream, with sedgy banks, discharges itself into the Detroit; the river aux Canards. It was crossed at its mouth by an ordinary planked road bridge, to be passed in proceeding to Amherstburg. Some small detachments had been thrown out from the garrison to dispute any attempt at its passage. On the 15th of July colonel Cass was sent forward by Hull to take the bridge in possession, and three separate attempts were made to effect this purpose. In the first instance, the Indians who had been sent forward retired before a superior force, leaving one man dead, who was at once scalped.* The detachment retreated with their trophy. On July 19th a second unsuccessful attempt was made. On the 24th a strong force advanced against the bridge. Two privates of the 41st were on guard, but they would not leave their post, which they continued to hold although the United States force pressed forward. Hancock, one of the men, was killed, Dean was made prisoner. It was on these occasions that Tecumseh,† the Shawnee chief, first shewed his ability for war, and his personal courage.

An attempt was made to effect a passage higher up the stream. Some Indians on the scout placed themselves in concealment, and their war cries coming upon the detachment unexpectedly, those belonging to it took to flight, leaving their arms and haversacks behind them.

Hull's confidence was in no way increased by the arrival

* The name of the hero who performed the feat has been preserved in Brown's history, a captain McCulloch.

† Tecumseh is the mode in which this word has hitherto been written. It was universally so accepted by those brought in contact with him, by Brock, Procter, Richardson and by all who wrote of him from personal knowledge. There is no ground whatever for changing the name to Tecumthe, although on very rare occasions it was doubtless so written.

on the 3rd, in Detroit, of the paroled men who had surrendered at Michillimackinac. He called a council of war. It was decided that Amherstburg should be attacked as soon as the heavy artillery could be moved forward, it was conceived about the 8th. In the meantime Procter had not been inactive. The United States had no naval force on lake Erie, and the "Queen Charlotte," war sloop of 18 24-pdrs. guns, was at the disposal of the British. Hearing that a convoy of provisions with a force of 200 men was on the march, Procter detached a strong party of the 41st with some Indians under Tecumseh, who placed themselves in ambush near the village of Brownstown, at the mouth of a small stream, some eighteen miles south of Detroit. Hull, in expectation of the arrival of the convoy, had despatched major Van Horne to bring it in with safety. The detachment was also charged with the despatches of Hull, and the letters of the garrison to their friends in the older states. The ambush placed to receive Van Horne on the 5th of August proved a complete surprise. By the unexpected fire of this party 20 were killed, including 5 officers, and 9 were wounded. The detachment was driven back, and put to flight, and pursued for seven miles. The important correspondence that fell into the hands of the British had great weight in the decision of Brock to act aggressively. Consequent upon the affair, Procter established a post at Browns-town, by which communication with Detroit was interrupted.

Hull had now to reconsider the difficulties of his own position. His communication was cut off from the Maumee whence he was to receive his supplies sent from Ohio. The surrender of Michillimackinac had given him serious apprehension of an Indian attack in force from the north-west. He had, likewise, on the 7th of August received intelligence from Niagara, gained through United States sympathisers on the British side, that reinforcements were being sent to Amherstburg. He resolved accordingly to recross the river, and to strengthen his position at Detroit. He effected his retreat unmolested on the 8th of August. United States

writers represent Hull as desirous of abandoning Detroit and of taking a position on the Maumee; and that he was opposed by Cass, who assured him, the Ohio militia would refuse in such a case obedience, and, if he ordered a retreat, the army would fall to pieces.

Hull, the following day, made an effort to reopen his communications to the south. To effect his purpose he detached a force of 705 men under colonel Miller, consisting of the 1st and 4th infantry and 400 militia, with a 6-pdr. gun and a howitzer. On reaching the village of Maguaga, about fourteen miles south of Detroit, they came upon a British force under major Muir of the 41st. The detachment had been sent out by Procter to intercept a convoy that was expected. The force consisted of 75 men of the 41st, 60 militia, and 325 Indians, under the convoy of the "Hunter" sloop of war. Muir finding himself greatly outnumbered felt constrained to retreat to his boats. He was himself wounded, as was also his subaltern, Sutherland, who died shortly afterwards. The casualties appear to have been, two killed and nine *hors de combat*. The United States journals relate that the troops, after the affair, encamped upon the field, and returned to Detroit, with between 30 and 40 scalps. There is no account of the Indian loss ; this statement, if accepted, represents the number of the slain. The loss of the United States troops has been given at 75. The skirmish had the effect of preventing any further advance, for the detachment returned the following day to Detroit.

On the 7th of August lieutenant Rolette, with the boats of the "Queen Charlotte" and the "Hunter," attacked and captured a convoy of 11 *bateaux* and boats of the United States on their way from Maguaga to Detroit, having 56 wounded and two British prisoners on board. They were escorted on shore by 250 troops ; the capture, nevertheless, was successfully effected.

Before the close of the session, in the first week of August, Brock had asked for volunteers to accompany him to the west, having determined immediately to proceed thither.

Five hundred of the descendants of the U. E. loyalists responded to the summons. On the 6th of August, the day succeeding the prorogation, he reached Burlington bay, whence he crossed to the Grand river to descend to lake Erie. On the 7th he held a council with the Mohawk chiefs ; at the meeting he desired to be told who were, and who were not, his friends. Sixty of the Mohawks agreed to follow him in three days. He established Long Point, on lake Erie, as the rendezvous. All the boats he could bring together had been collected. He was only able to include in the expedition half the number of the volunteers, as it was indispensable he should provide for the defence of the Niagara frontier. On the 8th he embarked in the boats, principally furnished by the settlers. His force consisted of 40 regulars and 260 of the militia. He coasted the north shore of lake Erie to Amherstburg. The journey, some 200 miles, was one of hardship ; for there was frequent heavy rain with tempestuous weather ; and it was made in open boats without any protection for the troops, during five days and nights, when Amherstburg was reached about midnight of the 13th. The men submitted to this demand on their endurance, in Brock's words "with cheerfulness and constancy," and he continues "it is but justice to the little band to add that their conduct throughout excited my admiration."

Brock on his arrival was astonished by a fire of musketry from an island in the river. It was explained to him that it was an irregular *feu de joie* by the Indians to welcome him. Brock requested that use of powder for such demonstrations should be stopped, for there was need of avoidance of all waste. Elliott, the Indian superintendent, carried the message with the intimation that Brock would see the chiefs on the morrow. He shortly returned with Tecumseh.*

* Brock's aide-de-camp, afterwards colonel Glegg, of Thurstaston Hall, Cheshire, has left this description of this extraordinary man. "Tecumseh's appearance was very prepossessing ; his figure light and finely proportioned ; his age, I imagined to be about five and thirty ; in height, five feet nine or ten inches ; his complexion, light copper ; countenance, oval, with bright hazel

It was the first time the two had met. Tecumseh fully saw the justice of Brock's remark, and after an exchange of courtesies they separated, with an understanding to meet at a council in the morning. About 1,000 Indians were present. Brock, by the interpreter, assured them he was there to drive the United States troops from Detroit. Several speeches were made, and the proceedings were perfectly satisfactory. After the council, at a meeting with Tecumseh and some leading chiefs, in order to assure their co-operation, he explained his plan of campaign. Brock felt anxiety on the point whether the Indians would abstain from spirits. Tecumseh replied that on leaving the Wabash, they had promised not to take liquor until they had humbled the "big knaves," the term applied by them to the United States people.

Brock completed his organization, forming his force into three brigades :

The first to consist of a detachment of the Newfoundland regiment ; of the Kent, and of the 1st and 2nd Essex militia.

The second of 50 men of the 41st regiment and of the York, Lincoln, Oxford and Norfolk militia.

The third to consist of the 41st regiment.

Colonel Procter was placed second in command of the whole force. Brock, leaving Amherstburg garrisoned, advanced with his little army to Sandwich. As his approach became known, the small detachment of 250 men in the fort constructed by Hull evacuated it, and crossed to Detroit. On the 15th he sent over his aide-de-camp, now major Glegg, accompanied by lieutenant-colonel McDonell of the militia, with a letter, requiring an immediate surrender. Hull refused

eyes, beaming cheerfulness, energy and decision. Three small silver crowns, or coronets, were suspended from the lower cartilage of his aquiline nose, and a large silver medallion of George the Third, which I believe his ancestor had received from lord Dorchester, when governor-general of Canada, was attached to a mixed coloured wampum string, and hung round his neck. His dress consisted of a plain, neat uniform tanned deer-skin jacket, with long trousers of the same material, the seams of both being covered with neatly cut fringe, and he had on his feet leather mocassins, much ornamented with work made from the dyed quills of the porcupine." [Tupper's Life of Brock, p. 243.]

CIRCULAR.

The Author begs leave to ask the substitution of the following passage in place of the words that appear in the text of Volume VIII., p. 200, lines 13 and 14 from top :—

“not to take liquor until they had humbled the ‘big knives,’ the term applied by them to the United States people.”

to see Glegg, and after detaining the messenger for two hours, sent a written refusal, stating that he was prepared to meet any force brought against him.

Brock had resolved to enter upon active operations, contrary to the views of colonel Procter, constituted second in command.* His genius suggested to him the necessity of immediate action, and of annihilating by a determined blow United States power in the west. Everything was to be gained by boldness, for success would tell with a force not to be calculated on the whole population of the province. It would silence the disloyal, affirm the wavering, and make assurance double sure with the U.E. loyalists, who, like their sires, were prepared to risk all to maintain the united empire. Consequently, he resolved to cross the river and attack Hull in his position.

Fire was opened in the afternoon from a battery at Sandwich, but, as it was of little effect, it was not continued. On the morning of the 16th the fire was re-opened, and as it was resumed Brock crossed the river. His force consisted of 320 of the 41st and Newfoundland regiment, and of 400 of the Canadian militia. The landing was effected unopposed between four and five miles below Detroit. Elliott, with 600 Indians, had crossed during the night. They had been so deployed, that they could attack the enemy in flank or in rear if the landing were interfered with. When the formation was complete the troops advanced; the Indians in the wood covering the left flank, the right protected by the "Queen Char-

* We have this fact stated in a letter to his brother, dated lake Ontario, 3rd September, 1812, which also sets forth the influences on his mind that led to his determination to attack. "Some say that nothing could be more desperate than the measure, but I answer that the state of the province admitted of nothing but desperate remedies. I got possession of the letters my antagonist addressed to the secretary of war, and also of the sentiments which hundreds of his army uttered to their friends. Confidence in the general was gone, and evident despondency prevailed throughout. I have succeeded beyond expectation. I crossed the river contrary to the opinion of colonel Procter . . . it is, therefore, no wonder that envy should attribute to good fortune what, in justice to my own discernment, I must say, proceeded from a cool calculation of the *pours* and *contres*." [Tupper's Life of Brock, p. 284.]

lotte," which had ascended the river. The march was continued by way of the road, in expectation of a discharge from the battery which ominously confronted the column, and at each pace forward, appeared to frown down on the small body of men more threateningly. But the guns remained silent. A halt was finally made at a ravine within a mile and a half of Detroit, when the ranks were formed for an assault on the land side of the fort. A picket of some strength, which had been thrown out from the garrison, had retired into the fort on Brock's approach.

While the movements of Brock's force were in operation, a boat with a white flag was seen crossing the river to Sandwich. The fire of the batteries established on the eastern bank, and re-opened early in the morning, had been most effective. The artillery officers had succeeded in getting the range of the fort, and an 18-pd. shot had entered an embrasure and passed into the mess-room, killing four officers : one of the number was lieutenant Hanks, who had commanded at Michillimackinac on the surrender to Roberts. The walls were covered with their blood. It was then that the boat with the white flag started to the opposite shore. Captain Hall, who commanded then, told the bearer that general Brock was before Detroit, and was the only one by whom it could be received. The officer immediately returned ; in the meantime the firing was discontinued.

Shortly afterwards captain Hull was seen leaving the fort with another white flag. Brock had gone forward to the rising ground, which concealed the British force from view of the inmates of the fort, to reconnoitre what was before him. He despatched colonel McDonell and major Glegg to meet it. The latter shortly afterwards galloped back with the intelligence, that the object was to propose the surrender of the fort. Consequently Glegg rejoined McDonell, and with him entered the enclosure to arrange the capitulation.

An hour passed, the men loitered about, their arms being piled. Some of the officers made use of their idle moments to get breakfast at the farm houses. The meal was reported

to be excellent, no doubt hunger made it so. At length the aide-de-camp was seen advancing, and he brought the satisfactory news that the capitulation had been completed. An order was then given for the troops to advance and form on the glacis. The route taken was not by the road, but through the orchards and fields. The capitulation included the entire territory of Michigan, with the port of Detroit, the "Adams" war brig ; 2,500 troops, embracing the 4th United States regiment with their colours, a company of artillery, some cavalry ; a large quantity of stores ; with 33 pieces of cannon, and the military chest. No prize was greater than the 2,500 stand of arms included, for they supplied a want under which Canada was labouring.

As the greater portion of the United States troops had been assembled on the esplanade, and stood with piled arms, a guard was appointed under lieutenant Bullock to take possession of the fort. Among the Canadian militia who were the first to enter were captain, afterwards chief justice Robinson ; the superintendent of Indian affairs, Samuel Jarvis, and colonel Chisholm of Oakville.

An incident occurred which might have caused trouble. As the guard passed the drawbridge, into the fort, it found itself among the Ohio militia, many of whom looked enraged at the surrender. The entrance of the guard was a violation of the articles of capitulation, for it had been agreed that the United States troops were to march out, before the British troops entered. It was explained that the order had been given prematurely, by some misunderstanding on the part of the staff, so the guard was faced about and marched back. They remained so, until the Ohio riflemen moved out. There was difficulty in finding a British ensign to mount upon the flagstaff ; fortunately, a blue jacket present had a union jack tied round his body, and it was produced for the occasion.

The main body now followed. While on parade Brock called out Dean to the front. He was the prisoner taken at the Canards, and had been since confined in the guard room.*

* Ante, p. 196.

He had been released as the British took possession, and had joined his regiment. Brock, shaking him by the hand before the whole parade, in a voice shewing the emotion with which he spoke, expressed his warm approval of Dean's conduct, and declared he was an honour to his profession. I cannot say, whether or not it was the only recompense which Dean received. Had Brock lived, there would have been little fear of his being forgotten ; but it was not a time when merit unsustained by interest received acknowledgment.

On the afternoon of that day, the 16th of August, Brock issued a general order in which he praised the steadiness and discipline of the 41st regiment, and the readiness of the militia to follow so good an example.*

The British colours now waved from Detroit ; it was, for the time, no longer a United States post.

No one during the previous operations had more distinguished himself than Tecumseh. It had been principally by his influence, that the Indians had consented to cross the river on the night preceding the movement of the British. Brock, to shew his sense of Tecumseh's service, at a meeting of the council at Amherstburg, took off his general's sash and placed it around Tecumseh's body. Tecumseh immediately removed it, and attached it on the waist of a Wyandot chief present, explaining that he could not wear it as a mark of distinction, when an older and abler warrior was present.

On the same day as the affair at Maguaga, Heald, the commandant at fort Chicago, received orders to abandon the post. With 54 regular troops and 12 militia he left the fort, giving to the friendly Indians the food and the provisions he could not remove. The arms and ammunition that he was unable to carry away were destroyed. The party on their march was attacked by a large force of Indians, and defeated with loss. Many, however, escaped ; among them Heald and

* I have followed the narrative of major Richardson in his history of the war, who, having been present, is circumstantial in his account of the operations of the day. Pp. 20-24.

his wife, to find their way to Michillimackinac, where they were hospitably received by Roberts, then in command.

The effect upon Canada of the fall of Detroit was immediate. It gave a confidence to the national effort that was never lost during the war, even after Procter's disaster. It is in no way my duty to describe the disappointment and dismay the surrender caused in the United States, after the confident expectations, raised by the boasts of the politicians in congress, that Canada would immediately fall a prize to the United States, owing to the depressed condition of England. I leave the matter in the hands of other writers, to dilate on the effects of the intelligence, as they deem expedient.

Brigadier Hull was marched with the other prisoners of the regular army to Quebec. Their numbers included 25 officers and 350 rank and file. They arrived at Lachine at 2 o'clock of the Sunday, so it was somewhat late in the September evening when they arrived. The escort on entering Montreal, was preceded by the band of the 8th King's. The streets were illuminated through which they passed. Hull was received by the garrison, and invited to stay with them. The officers were conducted to Holmes' Hotel, then the best in the city. The men were taken to the Quebec barracks and received by the troops. What a contrast to the treatment received by British prisoners from the United States authorities, as will hereafter be shewn !

Hull was subsequently exchanged for 30 British prisoners. He was placed on his trial on the 5th of January, and the process was continued until the 8th of March, 1814. He was found guilty, and sentenced to death. The extreme sentence was remitted, but his name was erased from the army list.

CHAPTER II.

Leaving colonel Procter to complete the organization consequent on the surrender of Detroit, Brock embarked in the "Chippewa" to return to Toronto. On the 23rd of August, he was met on lake Erie by the "Lady Prevost" schooner, 14 guns, from the commander of which he received a notification of the armistice proposed to Dearborn. With the dates of the late events before us, it can be understood how the difference of a few days in this communication would have seriously affected the province, for the attack of Detroit had taken place only a week previously, the 16th. Brock reached fort George on the 24th of August. Had the armistice not withheld him, he would have immediately made preparations for the attack of Sackett's harbour, with the view of sweeping away the half-finished vessels which were being energetically carried to completion. To Brock, it was evident that the salvation of Upper Canada lay in Great Britain retaining the preponderating power on the lakes. It would have been his policy to have attempted the destruction of every vessel in progress of construction. He proceeded to Kingston, where he arrived on the 4th of September, and continued his preparations for the attempt upon Sackett's harbour on the termination of the armistice. The distance from Kingston is 35 miles. On the proposition being submitted to Quebec Prevost refused his concurrence, and, as the superior officer, commanded the relinquishment of the enterprise. The armistice had been most advantageously used by the United States. Van Renssalaer was no sooner informed that it was in operation than he claimed that it embraced the free navigation of lake Ontario. Sheaffe, who had assumed command at fort George, assented to this view, in all respects favourable to the operations of the United States. Troops and stores

conveyed by the Mohawk, and thence to Oswego, were transferred by water to Niagara. The vessels which had been blockaded at Ogdensburg, and could not without risk of capture leave the harbour, sailed for Sackett's harbour, where steps were taken to convert them into ships of war. That Prevost was forced by his instructions from London to make every effort that hostilities should cease, is true. It was his duty, nevertheless, to have so acted, that the United States should not have been the direct gainers at the expense of the interests of Canada.

Prevost's career shews his incapacity for the onerous duties entrusted to him. That he was influenced by the hesitating conduct of lord Liverpool's government is apparent, but he was destitute of that moral fibre, by which great events are controlled. His personal courage has not been disputed; but he was deficient in that moral fortitude without which no difficult duty in trying circumstances can be accomplished. He was not what Horace well describes as,

*Fortis, et in se ipso totus, teres, atque rotundus
Externi ne quid valeat per laeve morari.**

His letters shew that he was convinced of the necessity of following a policy purely defensive, and that he looked forward to the quarrel being accommodated by diplomatic negotiation. It was on occasions like this that the public mind turned to the memory of Craig, whose faults were certainly not those of weakness and indecision.

The United States had entered upon the war on the avowed theory that the vulnerable quarter of the British empire lay in the weakness of the American provinces. Month after month, the opinion had been expressed in congress, that they could be overrun by the militia, at one time of Vermont, at another of Kentucky, at another of New England. The Canadian population had been represented as ground down by tyranny, and as ready joyously to greet

* Courageous and entirely sustained in himself, and harmonised (literally smooth and polished) so that nothing external would have power to interfere with him [in the call of duty].

the invader. The conquest of Detroit was a revelation of the fatuity of this belief, a lesson to be twice repeated before the year's campaign should close, at Queenston, and the upper Niagara. Prevost's duty was to have encouraged the Canadian spirit, and to allow it scope and enterprise ; but his half-hearted defensive policy depressed the province, while it gave more hope to the war partisans of the United States, from its being deterrent of enterprise. On the termination of the armistice, owing to the refusal of the president to recognise it, he issued a general order announcing the fact, in which, in place of speaking in the heart-stirring language of a British governor of a loyal province, and as the success at Detroit called for, he offered an explanatory apology that the expedition against Detroit had even been undertaken.*

Brock stayed at Kingston from the 4th to the 6th of September. He reviewed the militia and received an address from the magistrates and inhabitants. He told them that it was the confidence inspired by the admirable conduct of the York and Lincoln militia which had induced him to undertake the expedition, and from the reports of the officers in the garrison of Kingston, he had equal confidence in their courage and discipline. In acknowledging the expression of esteem to himself, he directed their attention, as an act of justice, to the brave men at whose head he marched. It was in the spirit shewn by that gallant band that the province could confidently repose its hope of future security,

Brock shewed the greatest judgment in the management of the militia. Pressed as he was for men, he allowed, as far as it was possible, the absence of the owners of farms to attend to the harvest ; and it had generally been got in satisfactorily. The women had worked in the fields, and, on all occasions during this painful strain on social life, gave ready evidence of their devotion and patriotism. The story of

* "The pursuit of an invading army into their own territory is but a natural consequence of the first invasion ; and the capture of the place to which they may retire for safety, a measure indispensably necessary for the security and protection of the country originally attacked." [Tupper's Life of Brock, p. 442.]

Laura Secord was not a solitary one. They all felt a pride in aiding their husbands and brothers in the performance of their duties in the front, as became the wives and daughters of men reared in free institutions, with a nationality of a thousand years to defend, and a grand historical renown attached to their birth-right, which called forth the truest sentiment of devotion and self-sacrifice.

Brock, so far as he was able, exercised the greatest care and watchfulness over the well-being of his men, for there was much in their daily necessaries, of which they were deficient. The whole force was in good health, in perfect condition, with the best spirit, and in the confidence which discipline confers. The militia were turning rapidly into trained soldiers. In the field they had shewn no hesitation in meeting the exacting duties of the hour, and striving to reach the high standard of a British soldier. The consequence was that Brock did not lose a man by desertion or death. There was one exception ; John Hendershott, of the 5th Lincoln, when on sentry at Queenston, was infamously shot dead.

The discharge of muskets by individuals from the opposite shore was of constant recurrence. The militia of the United States, not the regular forces, for they were restrained by their officers, were daily, under cover, firing upon the sentries, and at private houses, even at stray passing individuals. The consequence was that a strong personal element of hate grew up in the district towards the United States, which passed to the next generation. In the British force perfect discipline was maintained by Brock ; no outrage of the character was tolerated. Its prohibition was strictly enforced. The Indians were not permitted to cross the river ; but were established at some distance back from it. Many were affected by this regulation, and left the force.

Brock had been but a few days at fort George when he received a letter from Prevost, directing the evacuation of Detroit. The order was so far discretionary, that Brock might be governed by his conviction that no hostile movement was designed against the Niagara frontier. Brock's

observation had led to the contrary opinion, and he had previously written to state that the attack could not long be deferred.* In a letter † to his brother he notified him that he would hear of some decided action in a fortnight, or there would be a return to a state of tranquillity. "I say decisive," he adds, "because if I should be beaten, the province is inevitably gone."

The distance between Montreal and fort George caused the letters between Prevost and himself to cross in transit, and hence orders were frequently given from headquarters, at variance with the policy which a change of circumstances dictated. The letters of Prevost shew that he believed that no enterprise would be attempted on the part of the United States. Moreover, he could only view the contest in the light that it would affect the political position of the ministry in the house of commons. Accordingly, he ordered Brock to observe a system of defence, as dangerous as it was depressing both to the Canadian militia, and to the Indian allies. ‡

Brock, availing himself of the discretion allowed him, did not evacuate fort Detroit. He pointed out the unfortunate influence it would exercise on the population of the province, and that it would lead the Indians at once to make their own terms with the United States. Brock always bore in mind the service the Indians had rendered, and he earnestly appealed to Prevost, that should negotiations for peace be opened, they should be included as allies, and "not exposed to the unrelenting fury of their enemies."

On the 9th of October an attack was made, with much

* Life of Brock, p. 308, 14th September.

† Ib., p. 314, 18th September.

‡ "As the government at home could derive no substantial advantage from any disgrace we might inflict upon them (the United States forces) while the more important concerns of the country are committed in Europe, I again request you will steadily pursue the policy which shall appear to you best calculated to promote the dwindling any of such a force by its own inefficient means." [Prevost to Brock, 25th September, 1812. Tupper's life of Brock, p. 317.] A letter typical of the unfortunate policy which characterised the whole period of Prevost's government.

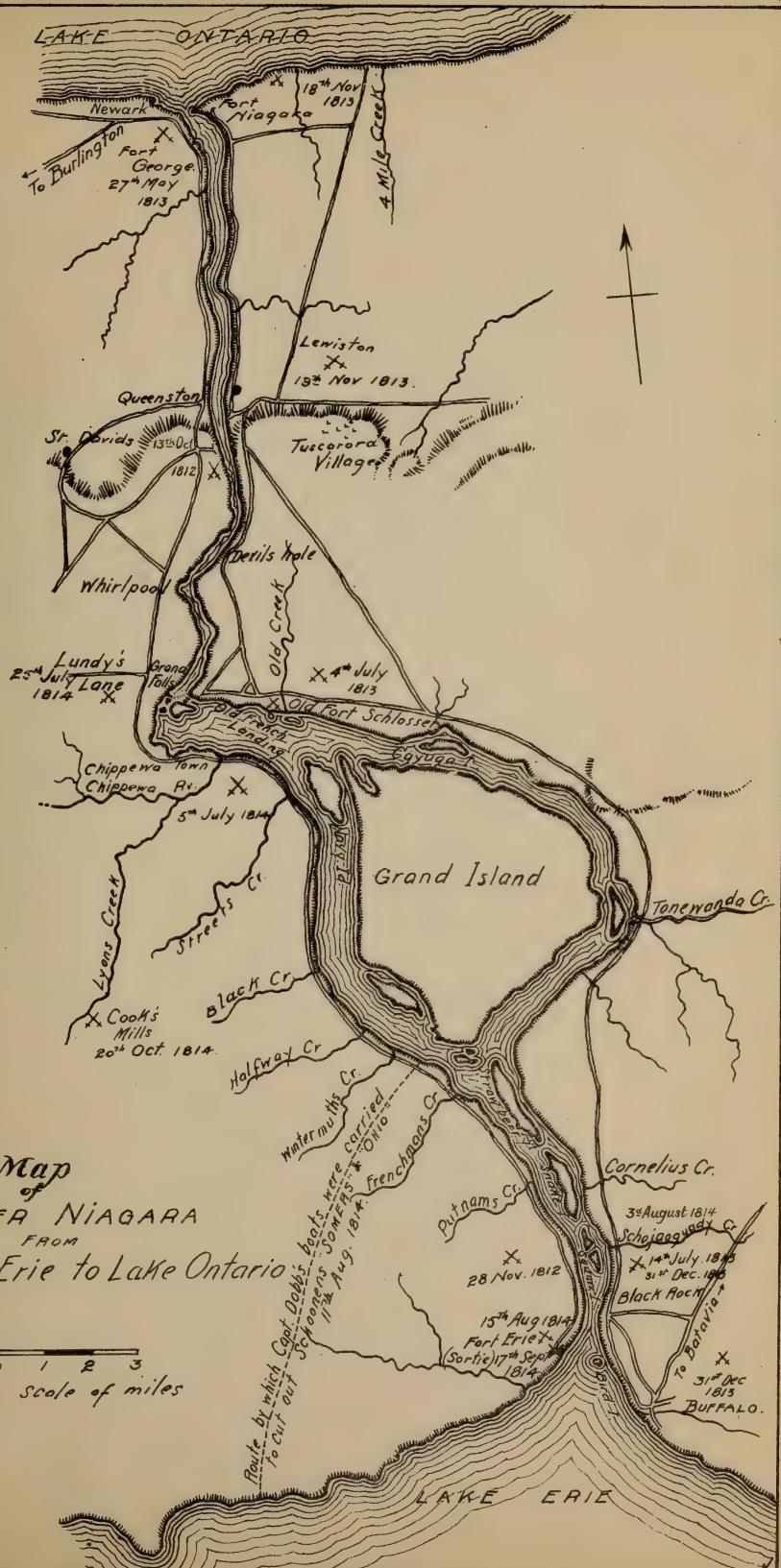
gallantry, by a party of seamen under lieutenant Elliott of the United States navy on two vessels lying at anchor at fort Erie. It was boldly conceived and successfully carried out. The U.S. brig "Adams," which had been taken on the surrender of Detroit, and re-named the "Detroit," in company with the North-West company's brig "Caledonia," with a cargo of furs on board, had arrived the preceding day at the fort. The two brigs contained forty prisoners, with some of the cannon and arms captured at Detroit. As dawn was breaking, boats containing about 100 men from Black Rock attacked both vessels, surprising the crews. The assailants, joined by the prisoners, amounted to 140, while the crews of the vessels numbered 68. The "Caledonia" was safely got off, and reached Black Rock with its furs, a rich prize. The batteries of the fort, directed against the "Detroit," led to her abandonment, and she grounded on Squaw island, below the fort. She was here boarded by a party of the 49th, who were subjected to a sharp fire; there being no means of moving her, her guns were thrown overboard, and it was resolved to burn her. There were still on board 20 prisoners, one of whom was suffering from his wounds, and a prisoner of one of the regiments, confined for drunkenness. While they were being removed, the officer in command of the party fell back wounded in the boat. In the confusion the boat drifted off and two privates of the 41st remained on board. Brock arrived at sunset and made preparations to float the "Detroit." Before they could be carried out, the vessel was seen to be in flames, having been set on fire by a party from Black Rock. The loss of the vessels was a serious misfortune; but when it is considered that they were taken from under the guns at fort Erie, it shewed a want of precaution, and neglect of the discipline by which disasters are avoided. It may be supposed that such an attack was not thought possible, and the watch had been carelessly kept. Spies were constantly active in obtaining intelligence. It is not improbable that information of the opportunity thus offered was communicated to the other side, for those engaged in

it acted as if thoroughly cognisant of the imperfect resistance they might expect.

While the naval strength of Canada was thus decreased by this serious loss, the United States were making every exertion to gain the superiority of the lakes. Schooners had been purchased, and new vessels were being constructed behind Squaw island. Had Brock not been withheld by the positive orders he received from Prevost, who failed to understand the necessity of these active operations, he would have destroyed these vessels; certainly he would have endeavoured to do so. But as in the case of the proposed attack of

- Sackett's harbour, so the positive orders of Prevost prevented all action on the entire frontier. There was not only the loss of the vessel, but that of the cargo, which included 4 12-pdrs., a large quantity of shot, and 200 muskets. Brock shewed his displeasure with the want of caution of the commandant, by removing him, and by placing lieutenant-colonel Myers in command. The news of the success awoke a strong spirit of aggressiveness with the troops at Lewiston, and created the feeling that any enterprise against Canada undertaken by them, could end only in success.

The design of the United States authorities was to take possession of Queenston, and there establish a fortified camp of several thousand men, supplying the force as they were able, from Upper Canada and from Lewiston. During the winter they would have completed their organization, and in spring have overrun the province and advanced upon Montreal. With the United States authorities there was never any doubt of the success of the attempt; an anticipation based upon the strength of the force which had been assembled. In the last few weeks, upwards of 8,000 men had been gathered on the Niagara frontier. There were 300 artillery and 1,150 regulars stationed at fort Niagara, and at Four Mile Creek discharging into lake Ontario, some $3\frac{1}{2}$ miles east of the fort, under the command of lieutenant-colonel Christie of the regular army. The camp at Lewiston contained 900 regulars and 2,270 of the New York militia. With general Smyth at



Buffalo there were 1,650 regulars, 400 militia, and about 250 sailors sent with their officers from the Atlantic coast. Some 400 Seneca Indians had been induced to offer their services. The militia, also, around Buffalo were being called out. Further a brigade of 2,000 men was marching from Pennsylvania. The militia were under the command of Van Rensselaer, the padron of the Rensselaer Wych of the state of New York. He had been unwillingly forced into a position the acceptance of which he dared not refuse, for fear of being denounced for want of patriotism. He performed his duty conscientiously, with earnestness, and, with the knowledge he possessed, did all that he could to meet the emergency. In military matters he relied on the counsel of his cousin, colonel Solomon Van Rensselaer, who was adjutant general and a professional soldier.

As communicated to Van Rensselaer, the determination had been formed that Dearborn, with a large force, should menace Montreal by lake Champlain, that Harrison should invade the province from Detroit with 6,000 men, and the troops from Sackett's harbour, under the escort of Chauncey, would be moved forward on lake Ontario. The central object was the occupation of Queenston. Van Rensselaer's view was, that the attack should take place below, simultaneously from fort Niagara, and at Queenston. Smyth, in command at Buffalo, conceived that it should be made between lake Erie and the Falls, and accordingly refused to co-operate in the attack upon Queenston. Much dissatisfaction with the men of the militia was caused by this hesitation on the part of the generals in command. They desired that operations should immediately commence, otherwise they threatened they would return to their homes. Brock himself looked for the attack from Four Mile Creek, at the rear of fort Niagara. He could not conceive that the troops placed there had been established for any other than an offensive purpose. It was only when on the ground at Queenston, as he stood in the battery on the heights, that he recognized the reality of the attack at that place.

Wherever the attack was directed, it was intended by the United States commander that it should be sudden and unlooked for. Strange as it may read, it was the good fortune of lieutenant Elliott in capturing the two vessels at fort Erie, which prevented the surprise upon Queenston being effected. The success, which had been much magnified, awoke a strong spirit of aggressiveness at Lewiston, and created the feeling that any enterprise designed against Canada must be successful. The circumstances that gave indication of the proposed attack are recorded in a letter of the late general Evans, which has hitherto remained almost unnoticed, and of which no account has been taken in the narrative of that memorable day.*

It is not known to whom the letter is addressed, but it is supposed to have been written to sir Roger Sheaffe, who assumed command at Brock's death. Evans' name will frequently appear in the narrative of the war. At that time he had seen twenty years active service, having entered the army in 1793; so the opinion formed by him was based on long experience.

On the evening of the 11th of October, Brock received a letter from captain Dennis commanding the flank companies of the 44th regiment, stationed at Queenston, representing the mutinous conduct of his detachment, upon which orders were given to Evans, as major of brigade, to proceed thither and investigate the trouble. At the same time, Evans was instructed to cross the river, and apply to Van Rensselaer to exchange the prisoners taken in the "Detroit" and "Caledonia" for an equal number of those who had been released, after the surrender at Detroit. On reaching Queenston, on the 12th, he went to Dennis' quarters, which were at the house of Mr. Hamilton. While there, a scattered fire of musketry was heard, and a musket ball entered the room, and passed

* This letter was first published in 1887 by Mrs. Sarah Anne Curzon as an appendix to her work "Laura Secord, the heroine of 1812, and other poems." The copy, to which I refer, is a draft of the original in the handwriting of the general. For the personality of general Evans the reader is referred to the note at the end of this volume.

between them. Dennis explained, that the proceeding had taken place more or less for the last few days, so that passage by the river side was dangerous. Under such circumstances Evans felt it a greater duty to cross the river, if possible, to stop this dangerous proceeding. They went to Mr. Dickson's house, and obtained a white handkerchief from Mrs. Dickson. Dickson himself being a captain of militia, consented to accompany Evans to the other side on his difficult duty. They entered a canoe, and the firing from the shore was continued, nearly until they approached the shore. The canoe leaked; and Evans was about leaping upon shore, when the sentry threatened him with a fixed bayonet, and refused him permission to land. On Evans inquiring for colonel Solomon Van Rensselaer, with whom he had often conferred, he received the answer that he was sick. Evans then stated that he had an important message to their commander from general Brock, and, if inconvenient for the colonel personally to be present, he asked that an official person might be immediately deputed to receive it. After some delay, Mr. Lovett, the general's secretary, appeared. His manner was abrupt, and he said that nothing could be done until the day after the morrow. Evans drew to his attention Brock's liberality towards the prisoners taken at Detroit, and begged him again to consult his general, so that a more satisfactory reply might be given. The secretary left, and did not return for two hours, when he expressed the general's regret that, owing to the prisoners having been marched to Albany, they could not immediately be brought back; but all should be settled to their mutual satisfaction the day after the morrow. While waiting for an answer, Evans noticed that great additions had been made to the force by troops that he conceived to have come from Ohio and Kentucky. What especially attracted his attention was, that several boats were concealed among the rocks covered by bush; and he formed the conviction that the attack would not be delayed for a day.

On his return, Mr. and Mrs. Dickson were counselled to remove from their house, and he gave notice both to the 49th

and the militia who were present, of the morrow's struggle, which he regarded to be inevitable. It was now three o'clock and he was six miles from fort George. Evans assumed the responsibility of liberating the prisoners of the 49th regiment, on the plea that their late misconduct was owing to their indulgence in drink. He addressed them, asking for proofs of their loyalty and courage, and he assured them it would be tested before day dawned. Evans then made an effective arrangement of the points requiring attention, saw that a fresh supply of ammunition was issued, and, exhorting Dennis to vigilance, did all in his power to awaken with those he was leaving, a feeling of courage and determination. It was six o'clock when Evans returned. He had been thirteen hours on duty, most of the time his feet had been wet, and as he had not taken any food during the day, he was quite exhausted. As soon as he was able, he brought the condition of matters to Brock's attention. Those who were present regarded Evans as over anxious. But Brock called him aside, and on calm discussion accepted his views. Orders were sent to the militia in the neighborhood, directing their immediate march to the fort. Those at a greater distance were ordered to follow with all possible speed.

About eleven Evans threw himself on his mattrass, but at two was awakened by a cannonade. He had no doubt of its cause. Brock being prepared, immediately mounted his horse, and rode to the spot, leaving Sheaffe in command to await his orders. Brock, however, still believed that the attack on Queenston was only a feint, and that the true assault would come from fort Niagara on the opposite shore. Thus, while the disposable troops were held in readiness to act in any quarter, no decisive movement was ordered to take place, until the intention of the attacking force had declared itself. The guns with the Indians were sent forward, but the wing of the 41st and the flank companies of the militia were held in readiness to be sent as events might demand. Six miles from the mouth of the river Niagara, the high land abruptly rises from the plain below, some 350 feet above the stream,

thence trending east and west. The theory is, that at some remote geographical epoch the waters fell over at this spot, and that by degrees they have receded to their present position, some six and a quarter miles southerly. The river at this spot is about 200 yards in width ; the current is rapid, some four miles an hour, and diversified by eddies ; but the passage across can be readily made by any one who can row moderately well. On the Canadian bank, the hill side was covered with trees and bush. A ferry had existed between the two banks at this point, since the days of the French, when the height was first portaged ; and there was a landing-place on either side. The small village known as Queenston, on the British side, consisted of a large stone building, a barrack and some score of houses, irregularly as a rule situated, each one generally with its garden and orchard. The main road passed through the small village, and ascended the height. Some short distance before gaining the village, the road branched off to the village of Saint David's, some three miles distant, whence there was also a road to the south. Between the two ascents, there was also a road commencing about a mile east of the landing, so that the higher ground could be gained without passing by the river side.

Two small posts had been established between Queenston and fort George. The one at Brown's point, three miles distant, was held by Cameron's and Heward's companies of York militia. This force was brought into action by lieutenant-colonel M'Donell, who had accompanied Brock, but had been left to hurry forward the detachments. At Vroomens, or Scott's point, a mile below Queenston, a 24-pdr. gun had been mounted on an earth work *en barbette*, which commanded the river ; some militia were also stationed here.

At Queenston, half-way up the height, a battery of one 18-pdr. had been established, supported by captain Williams, with the light company of the 49th. At the lower village, captain Dennis' grenadier company of the 49th, with Chisholm's company of the 2nd York guarded the landing.

The United States troops had not neglected the fortifica-

tions of their side. Above the village, two 18-pdrs. had been established, and two mortars and two 6-pdrs. had been placed on the bank to protect the troops as they crossed the river, and to drive the British detachment from the village. It was under the protection of the fire of these guns, to be brought into action so soon as circumstances required, that the expedition started. The number told off to the service was in excess of 4,000 men. Of this force 1,500 were regulars, consisting of the 6th, 13th and 23rd United States infantry. The militia regiments were the 16th, 17th, 18th, 19th and 20th New York. Forty men of the artillery were under the command of a subaltern. They had been selected from having been long quartered at fort Niagara, and as perfectly knowing the river. To carry over the advance force, fourteen boats were brought into requisition, twelve capable of carrying thirty, and two which would admit of eighty men.

As the troops were being assembled on the 13th of October, the rain was falling fitfully, but not heavily. It was perfectly dark. A moonless night had been selected in the hope of making the surprise more complete, and the noise of the current drowned the clamour arising from the passage of the boats. By the first arrangement, colonel Van Rensselaer had been selected to lead the advance boats, but colonel Christie, as the senior officer, insisted on his right of precedence. The difficulty was settled by Christie being placed in command of 300 of the regulars, and Van Rensselaer of the same number of militia. It was determined, that, on their effecting a footing, colonel Fenwick, in command of 550 regulars, would follow.

Ten of the boats, within a quarter of an hour of their start, reached the landing. As the formation was taking place, the sentry became aware of their presence, and rushed to the guard-room to give the alarm. As the invasion had been looked for, owing to Evans' warning, there was no surprise. Dennis' company was prepared to meet the attack. In a few minutes the detachment was on the ground.

It was not a formidable force, consisting of 46 men of the 49th, and a company of militia. They discharged a volley into the invaders, doubly effective as it was unexpected. Van Rensselaer received six wounds, and was disabled, several men were killed, others placed *hors de combat*. It was subsequently stated, that the loss was eight officers and 45 men killed and wounded. Of the three boats which were carried down by the current, one succeeded in landing below Queenston ; the other two, and they were the largest, in one of which was colonel Christie, got out of their reckoning, and deemed it expedient to return to their own landing and start anew.

As the troops were set on shore, the boats were sent back for reinforcements. Two of them on their return to Queenston were carried down by the current. One attempted to land below Queenston, and the troops were attacked in so doing. Lieutenant-colonel Fenwick in command received a shot in the face, which partially blinded him. The whole force with himself were taken prisoners. The other boat drifted down to Vroomer's battery, and the troops embarked in her were also taken. The report of musketry at Queenston had given the signal for the discharge of artillery from the United States side. The British 18-pdr. and 24-pdr. were fired in the dark on the vague chance of inflicting damage, for it remained impossible for any aim to be taken.

The first resistance by Dennis' detachment had driven the United States force to the river, and they had sought the protection of some projecting rock. Van Rensselaer's wounds caused him to be sent back to the opposite shore, and Christie, not appearing, Wool, afterwards known as a general in the Mexican war, then a young captain of the 13th, took command. He contented himself with holding the ground he had in possession. The reinforcements came slowly. No doubt, the thunder of the guns did not particularly encourage the militia to enter upon duty.

There was a rough path by which the height could be ascended. Some writers tell us that it was known ; but

having been considered impracticable, it had been disregarded. Whether unknown to the defenders of the position, or neglected by them, the fact that this path had been left without interference cost Brock his life. There cannot be a doubt, that it could easily have been made impassable. It appears, however, to have been known to the United States, whether through their spies or otherwise. It was said, that it was pointed out by the subaltern of the artillery to Wool, and the information may have been derived from one of the artillery long quartered at fort Niagara. On this occasion the path was successfully ascended by Wool and 60 men; the route being found practicable, the number who followed were rapidly increased to form a strong force.

When Brock arrived on the field, he proceeded from the lower village to the battery to observe the situation. He had been there but a few minutes when firing was heard on the right. It came from Wool's detachment, which, having gained the crest, attacked the battery so vigorously that Brock, and the twelve men who had been working the gun, were driven to make their retreat so rapidly that Brock and his staff had not time to mount. The battery was rapidly occupied by Wool. Brock now understood the nature of the attack to be really directed against Queenston, and sent orders to Sheaffe to advance with all haste to support the men engaged.

Williams, who had been moved below to the support of Dennis, was recalled to the height, and the troops were formed to retake the battery. The attack was directed against Wool's force, which now consisted of 150 men. They were driven from the battery to the extreme limit of the height, but again rallied, and discharged a volley of musketry.

It was here that Brock fell, about an hour after he had come upon the field. There was everything in his appearance to distinguish him; his height, his dress, his active encouragement of the small force he was leading, all pointed him out in prominence. He fell, struck on the right breast by a musket ball, which passed out by the left side. He had but

a few minutes before said "Push on the York volunteers." He lived only long enough to express the wish that his death would not be noticed, as knowledge of it might prevent the advance of the troops. His dying words were imperfectly heard; but he was understood to say that he desired some token of remembrance of him should be sent to his sister.

At this point of the engagement Wool's force rapidly increased, so that in no brief time it numbered 500 men. It was now that lieutenant-colonel M'Donell arrived from Brown's point, three miles distant, with 190 men, two-thirds of whom were militia. Brock's last words had been expressed for their advance. M'Donell, although attorney-general of the province, had volunteered as an aide-de-camp to Brock. He led his force gallantly forward, but was soon mortally wounded, and had to dismount. One bullet passed through his body, and he was struck in four other places. Carried from the field, he survived only twenty hours, and suffered the greatest agony; but his one thought was for his dead chief and friend. Williams, of the 49th, was also wounded. The United States force was, however, driven back, spiking the gun as they retreated.

Dennis, on hearing of Brock's death, moved his company to the height, with the view of re-forming, and continuing the attack. Becoming sensible of the weakness of his force and the strength of those opposed to him, he ordered a retreat until the troops should arrive from fort George. Thus, there was a lull in the fight, both sides looking for reinforcements. The United States had sent across their wounded, and were receiving additional men, retaining their position upon the height. The British sought shelter under cover of the houses. They had successfully held their ground with the two flank companies of the 49th, and the detachment of York militia. The whole force was less than 300 men. United States writers give the number of the first assailants as 600. They were not all landed at the first attempt, but they were speedily reinforced. It was not until seven that colonel Christie came upon the ground, when he took com-

mand, and the boats continued to bring reinforcements. The troops, however, upon the height, were in a very dangerous position if assailed in any strength. They could make no impression on the force opposed to them, and could not move for want of support. Christie himself crossed the river, and called upon Van Rensselaer for further aid ; upon which he sent notice to Smyth at Buffalo to march his force to Lewiston with the utmost despatch. Colonel Totten, one of the engineers, was ordered across the river with the appliances to lay out a fortified camp. Van Rensselaer returned with Christie to the British side, and reached the hill. Wool had been wounded, and lieutenant-colonel Scott, afterwards general Scott of Mexico war fame, who had joined as a volunteer, had taken command.

Van Rensselaer, not finding the troops arriving according to the orders he had given, crossed the river to urge their departure ; the militia refused to leave their own territory. They pleaded their duty to defend the state, not to engage in an invasion.

Sheaffe, in conformity with his orders, pushed rapidly forward to Queenston. Before reaching the village, he left the main road and passed round by Saint David's, a mile and a half distant; then he regained the main road to the south of Queenston and so arrived on the scene of action. His force consisted of 380 of the 41st, and some companies of the Lincoln militia, with a body of Indians. Before reaching Queenston, he was joined by 80 of the 41st and 200 of the militia from Chippewa, also by the Indian chiefs Norton and Brant, the younger, with some additional Indians. His force was now equal to 800 men. On the march the men had heard of the death of Brock, and had gone forward breathing vengeance for his loss.

Great service had been rendered by Holcroft of the royal artillery. Regardless of consequences he had taken the guns into Hamilton's court-yard to discharge them at blank point range, and succeeded in sinking some of the United States crowded boats crossing from Lewiston. The success of the

operation must have exercised much influence on the militia, who refused to cross.

At this crisis Sheaffe arrived, and immediately attacked. The United States forces were cooped up within a small space on the heights, anxiously waiting for the militia from the other side, who never came. They were assailed on the right by the troops with whom on the first morning they had been attacked, while Sheaffe vigorously advanced against their front and left. The fire was so continuous that the United States troops shewed signs of unsteadiness. A bayonet charge was then made upon them with the deafening British cheer, while the Indian war-whoop sounded shrill above the din. The United States troops, utterly discomfitted, broke and fled. Many were forced over the height to be killed; many were drowned. There is a story that two men threw off their clothes and took to the river, saying they might as well be drowned as hanged; probably deserters from a British regiment.

In this emergency there was no alternative but surrender. Scott, accompanied by two officers, with their white handkerchiefs and cravats on the points of their swords, meeting a British picket, requested to be conducted to Sheaffe, with whom the conditions were arranged. The number who thus surrendered was a few short of 400. From time to time other prisoners were brought in, till the number reached 960. They included major-general Wadsworth of the militia, 6 colonels, 3 majors, 17 captains, and 36 subalterns. As at Detroit, the militia were allowed to return home on parole, not to serve during the war. The regulars were sent prisoners to Montreal. It is difficult precisely to state the United States loss. The general belief is that it may be named at 300, killed and wounded.

No official return can be found of the British loss. James, always painstaking, gives the number at 11 killed and 60 wounded, and, of the Indians 9 wounded and 5 killed.

Brock's body was taken into one of the houses at Queenston, where it remained for the hours that the action was in

progress. It was subsequently removed to fort George. The coffin was for a brief time publicly shewn with the great respect it could claim. It was temporarily interred under the cavalier bastion of that fort, which had been planned and finished under his superintendence ; finally to be placed beneath the column erected on the heights, to perpetuate the memory of the great service he rendered to Canada. Colonel M'Donell was buried by the side of his chief.

On the day after the action, Van Rensselaer asked for an armistice for three days, to permit of the burial of the dead. It was granted conditionally that the *bateaux* should be destroyed. A question arose regarding 23 of the prisoners, who were declared to be British deserters. They were sent to Montreal, with the design of forwarding them to England to be tried for treason. Scott and Sheaffe had a dispute on the subject, when Scott refused his parole offered him. He was consequently sent down to Montreal with the regular troops.

Van Rensselaer immediately resigned the command, upon which general Smyth was appointed to the position. His first duty was to apply for an armistice, terminable on thirty hours' notice being given by either side. The armistice was not approved of by Prevost, but his hesitation and doubt had been communicated to his lieutenants. It is difficult to understand on what grounds it was acceptable to Sheaffe ; except in the sense of knowing the weakness of his force, and that he did not possess the indomitable spirit and determination of Brock. Smyth's policy in asking for it can well be explained. It was to obtain time to organize the attack on the Upper Niagara, which he had always advocated, and now designed.

The advance of Sheaffe to Queenston had left Evans in command at fort George, with orders to cannonade fort Niagara, so that its garrison could not be detached to Queenston. The appearance of Sheaffe's force on the road acted, as it were, as a signal to the commandant of the fort, for immediately a continuous cannonade was opened out, directed alike on the town of Niagara, fort George, and the barracks.

When the news of Brock's death reached the fort, all around it spoke discouragement. The gaol and court-house suddenly burst forth in flames, and other buildings were soon in the same condition. The guns from fort Niagara were casting hot shot on the wooden structures of the town. Fortunately Evans was not the man to be depressed by untoward circumstance. In the crisis, a body of the militia summoned the previous evening, arrived. The men were organized in parties with buckets to grapple with the flames. Evans directed what means were at his disposal to subdue the fire of fort Niagara, and succeeded in dismounting and crippling the enemies' guns, not before much mischief had been effected. The gaol, court-house, and chief engineer's quarters were burned. A note received from captain Dennis of the 41st, enforced on Evans the necessity of sending on every available man. Accordingly lieutenant McIntyre of the 41st, with 120 men, was ordered to march, and Evans personally collected the most active men stationed on the line of communication, and sent them forward. While he was engaged on this duty, the fire was reopened from fort Niagara. Evans galloped back to hear the cry that the magazine was on fire. It was known to contain 800 barrels of powder. Not a moment was to be lost. Captain Vigoreux of the engineers, with a strong party, stripped the roof of the tin, and the wood beneath it, which had caught fire. Thus the danger was averted. The United States had, however, opened another battery, and with hot shot succeeded in setting fire to the store houses and other buildings, before the fire of the guns was again silenced.

The news finally arrived of the discomfiture of the invaders. Great mortification was felt on the side of the United States at the failure of the attempt. It had been hoped that a perfect surprise would have been effected, and there was a feeling that their purpose had been betrayed. Colonel Fenwick, who was brought in a prisoner, severely wounded, besought captain Dennis of the 49th to tell him who had betrayed their purpose. It was known, that the whole

defence of the frontier of regular troops consisted of a wing of the 41st, and four companies of the 49th scattered in several posts, and they had been led to believe that the Canadian militia would not only not fight, but would receive them as friends. Indoctrinated with such opinions, it is easily conceivable that the United States militia present loudly called for the commencement of active operations, to be led to easy conquest ; a sentiment, that in the hour of peril and danger they entirely cast aside. Nothing could move their determination not to embark in the boats, although their refusal involved the destruction of those who had been engaged since the early morning, and whose desperate position they perfectly well knew.

Van Rensselaer's report cannot be passed over unnoticed. He complained that he had endeavoured to obtain the co-operation of Smyth, but had failed ; and that it became indispensable to act from the feeling communicated by Elliott's exploit at fort Erie. The militia had declared if no action were taken, they would go home. Engaging the services of a spy, he was informed that Brock had gone to the west with all the force he could gather. The news confirmed the desire for an attack. Van Rensselaer gives his account of the operations. It is important in the admission made by him. "He rode in all directions," he says, "urging the men by every consideration to pass over, but in vain." These were the men who, a few days before, had so clamoured for active operations.

Sheaffe's report deals generally with the action, but gives little help in its description. It is of value that it gives the number of troops he commanded which he describes as "I believe did not exceed the number of prisoners we have taken." This estimate would place them at about 1,000. The United States troops which effected a landing, he describes as probably amounting to 1,300 or 1,400 men.

While the operations by land had been carried out in the energetic preparations described, efforts equally determined had been made to obtain the mastery of lake Ontario.

In October, commodore Isaac Chauncey arrived at Sackett's harbour, intrusted with the duty of the creation of a fleet, with full powers to purchase available craft, and commence the construction of new vessels. Brock, having had timely notice of the proceeding, had been desirous of attacking Sackett's harbour and burning these vessels; but he had been overruled by Prevost. In the meantime detachments of seamen, amounting to 500, with many active officers, had been sent forward from the sea coast.

On the 6th of November, Chauncey appeared in lake Ontario with the brig "Oneida" and 6 schooners. His vessels were armed with long 32-pdrs. and 24-pdrs., manned by upwards of 500 seamen. His hope was to surprise the "Royal George," a vessel of 340 tons, and two schooners which he had learned were returning from fort George, whither they had been sent with troops. On the "Royal George" being discovered, chase was given, but she was lost to them during the night. In the morning she was again seen, and, although followed by the whole squadron, she safely arrived in Kingston. An interchange of firing ensued between the ships and the batteries of Kingston. Chauncey hauled off; a snow-storm had commenced, and he felt it prudent to retire. Kingston was not again assailed during the war, and the spirited defence on this occasion has been assigned in explanation of the fact.

Subsequently, the schooner "Simcoe" was discovered, as she returned in ballast from Niagara. She was closely chased. Her commander, Richardson, to avoid capture, endeavoured to run her on Amherst island. As from a change of wind he failed in the attempt, Richardson determined to pass through Chauncey's fleet and gain Kingston. The breeze was stiff, so all sail was raised, and the "Simcoe" bore for the harbour. She ran the gauntlet for nearly five miles, receiving the fire of the vessels as she passed them. Her hull and sails suffered, but not a man was hurt. Just before reaching port she received a 32-lb. shot under water, and at once filled, and sank. The crew escaped by boats, and

reached the shore with a loud cheer, re-echoed by the inhabitants of the town, who had crowded the shore to watch the result. The schooner was subsequently raised, and repaired.

A few hours later, a schooner was taken, having on board captain Brock of the 49th, a brother of sir Isaac, with the plate and effects of the dead general. Chauncey paroled his prisoner, and unhesitatingly restored the property.

There was a constant attempt to interrupt the communication on the Saint Lawrence, justifiable enough, for war is not carried on, on the conditions under which a perfume manufactory is worked. The attack on Gananoque was, however, of a character reprobated by soldiers of a civilized community, and not justified by the laws of war. Gananoque is eighteen miles from Kingston, on the Montreal road ; the place consisted of a country tavern for the convenience of travellers, and a saw mill, with an adjoining log house, the dwelling of the owner of the mill, who was also a colonel of militia, named Stone. There were in his charge two kegs of ammunition, and about thirty muskets. A detachment of the United States troops landed in the night, led by a resident in the neighbourhood, a partisan of the United States. As they came upon colonel Stone's house, one of the party fired through the window, and wounded Mrs. Stone, who was lying in bed dangerously ill. The report of firearms alarmed some thirty or forty of the inhabitants in the neighbourhood, who came upon the ground, some with arms. In this attack from overwhelming numbers, these few men could do little, and retreated. One of them was killed, while others, non-combatants, were carried away as prisoners. The incident would not be worthy of notice, except for the glaring misrepresentations which have been made concerning it. It has been falsely described as a skirmish with a large force of regular troops, who retreated in disorder before a few men, the "king's store" being destroyed. There is, however, the admission that one of the attacking party was killed, and one wounded.

The Canadian village of Prescott, then consisting of some dozen small houses, lies opposite to Ogdensburg. Colonel

Lethbridge in command of the line of communication held his headquarters here ; and, as Ogdensburg was the point from which these raids were made, it was resolved to attack the fort. His force consisted of two companies of the Canadian Fencibles, 40 of the Newfoundland regiment, and 150 of the Glengarry militia. They had come up during the preceding day from Cornwall, 48 miles distant. Some of the Canadian militia who were present made difficulty as to crossing, and did not join the expedition. Two gun-boats, under captain Hunter, a man of known gallantry, escorted the *bateaux*. They silenced the battery below the fort. But the position was too strong for the force under Lethbridge. Failing in the attack, he retreated, with a loss of three killed and four wounded.

Sheaffe, from the reports which reached him, and from the number of men gathered at Buffalo, had formed the opinion that an attack was designed against fort Erie. On receiving the notification of the close of the armistice, he determined to bombard fort Niagara, in order to prevent co-operation in the projected attack, and so create a diversion in favour of the right flank. The fire was opened at half-past seven of the 21st of November, and continued until it was nearly dark. It was actively returned from fort Niagara. The advantage, although not so great as was hoped, was reported to be on the British side. A man of the 49th was killed, and also an old half-pay officer, a resident of the town, captain Fry, who was occupying himself in picking up shot to fire back upon the enemy. Sheaffe himself went on to fort Erie, leaving the operations to be carried on by colonel Myers, captain Holcroft of the artillery, and major Evans of the 8th, who had successfully directed the operations against fort Niagara on the 13th of October. Fort George received no serious damage, but some of the houses in the town were injured. Sheaffe remarked on the expenditure of ammunition, that the number of shot fired from fort Niagara, and which had been picked up, and collected, actually exceeded what had been fired by the British.

Sheaffe was able to report, that the number of militia in the field had considerably increased since the termination of the armistice. He found them alert at their posts, shewing the best disposition. Some old loyalists, who bore arms in the American war, had even come forward, although exempted from service. "I retain them for the present," Sheaffe wrote, "as they are still capable of stationary service, and their lessons and example will have a happy influence on the youth of the militia ranks."*

The third attempted invasion of the province took place above the Grand falls, on the river Niagara, between fort Erie and Chippewa, directed by brigadier Smyth, who had succeeded Van Rensselaer in command. Smyth was an Irishman by birth and had arrived, as a boy of ten at the outbreak of the revolution. He became a lawyer and a member of the house of Virginia. Jefferson placed him in command of a rifle regiment in 1808. In July, 1812, he was appointed inspector-general and ordered to the front. He brought to his military duties the sharp practice of the attorney, rather than the honourable sense of the obligations of the soldier.

The conditions of the armistice were, that thirty hours' notice of its cessation on either side would terminate it. Smyth, with discreditable cunning, gave this notice in the afternoon of the 19th of November, not, as he was bound as a man of honour, personally to general Sheaffe, the maker of the armistice, at his quarters at fort Niagara, but at the extreme right of the line at fort Erie, distant 36 miles, in the hope that he would be able to resume operations, before succour could be sent to the point of attack.

Previous to his notification of the commencement of hostilities on the 10th, at his camp near Buffalo, he had issued a bombastic proclamation calling for aid. In a few days, the troops under his command would plant the American standard in Canada. "They will conquer or they will die," with much of this fanfaronade. The consequence was that by the 27th he had collected a force of 4,500 men. He had

* [Can. Arch., Q. 317, p. 3.]

also in the interim gathered the necessary boats for their embarkation; the 28th being named for the enterprise he had designed.

Between one and two of the morning of this day, a division of Smyth's force, under the command of captain Winder, started in ten boats to attack the Canadian batteries on the opposite shore of the river. The detachment included several naval officers lately arrived from the Atlantic.

Lieutenant-colonel Bisshopp, commanding the district, had his headquarters at Chippewa, with a company of the 41st, a company of militia, some artillery, and an outlying detachment of militia.

The right of the line, fort Erie, was held by major Ormsby with 130 men of the 49th, and the Newfoundland regiment. The ferry opposite Black Rock was occupied by captain Bostwick and two companies of militia. Two miles and a half from fort Erie, a post on the Chippewa road, known as the "Red House," was established under the command of lieutenant Lamont of the 49th, with a party of that regiment of 37 men, and some militia artillery under the command of lieutenant King, R.A. Two batteries were in the neighbourhood, one with a 24-pdr., the second with an 18-pdr. A mile farther another party was stationed; and about four and a half miles from fort Erie, at Frenchman's Creek, there was a detachment of the 41st of about 70 men.

As the boats came towards the centre of the river, they were received by the guns from the batteries. The discharge had the effect of driving back half of the number, including the craft containing the commandant, colonel Winder. A landing, however, was effected below the fort at the "Red House," held by Lamont. The force consisted of 190 men of the 14th and 15th regiments of United States troops, with some 60 seamen, under the command of lieutenant-colonel Boerstler. A detachment of them under captain King attacked the "Red House." Received by a volley, and charged by Lamont, they were driven to their boats. They rallied and again charged, with the same result. King now changed his attack,

which he directed against Lamont's left. Reinforcements having been looked for from Chippewa, the United States troops were mistaken for Canadian militia, and allowed to approach unmolested. The painful mistake was discovered by a volley, which killed seven and wounded eight, including in the latter lieutenant King of the artillery; one fourth of the whole party. Lieutenant Lamont, also, received five wounds. The commanders having fallen, the men who were unwounded broke and fled, with the exception of three, taken prisoners. The United States troops set fire to the "Red House," and spiked the guns. They then retreated to their boats, taking with them the three prisoners and several of the wounded, among them lieutenant King. This young officer died a few days afterwards from his wounds, and his death was attributed to the harsh treatment he received at his captors' hands. Lamont was also dragged a short distance, but he was looked upon as a dying man, and so was abandoned. Twelve of the United States troops were left behind, dead; about the same number of wounded remained uncared for on the ground.

Boerstler's party landed some two miles below the "Red House." It numbered 130 regulars and 20 seamen. Boerstler was kept in check by the detachment of the 49th under lieutenant Bartley until his losses compelled him to retreat. Boerstler also came in contact with Bostwick's company of militia, which he drove back after a loss of three killed, 15 wounded, and 6 prisoners.

The contest had up to this time been carried on in the uncertain light of approaching dawn. Boerstler, who had a loud voice, gave a multiplicity of orders at its highest pitch, to convey the idea that he had a numerous force and was irresistible. In this condition of matters, major Ormsby arrived at the mill on Frenchman's creek, then the scene of action, captain Whelan having been left with the troops in column at fort Erie. It was still dark. Some shots were exchanged. Ormsby, however, determined to remain passive until daylight. He was joined in the position he had taken by the

41st, under lieutenant McIntyre, which had been partially engaged, and at daylight Bisshopp appeared from Chippewa with the detachments under his command. He had taken the alarm from the reports of musketry which reached him between four and five. He took up a position with 250 of the 41st and 49th, and 300 militia. By 11 o'clock the number of regulars was doubled. As they advanced to engage any troops who remained on the Canadian bank of the river, they came upon captain King and about thirty rank and file of the United States infantry, who, seeing resistance to be hopeless, unconditionally surrendered. They had been left behind in their position by Boerstler, who, on observing that the troops opposed to him were taking the offensive, had hastily retreated to his boats and crossed the river, leaving King uncared for.

As dawn passed into daylight Winder approached with his five boats containing 250 men, but some well-directed shots from the 6-pdrs. and a few volleys of musketry led him rapidly to retreat. The loss on the side of the British was 1 sergeant, 15 rank and file killed; 1 captain, 3 lieutenants, 4 sergeants, 38 rank and file wounded; 3 drummers, 27 rank and file missing. The loss of the United States is nowhere given, but 13 officers alone were reported to be killed and wounded.

General Smyth shewed his want of experience in war, by sending a flag of truce at one o'clock in the day to fort Erie, where Bisshopp then was, demanding a surrender. Bisshopp's answer was, that the troops under his command were sufficient to repulse any attack, and, having received reinforcements, he should accede to no such demand. Captain Fitzgerald, who carried the return message to Smyth, had Smyth's force paraded before him as an argument for the immediate compliance with the request; it is barely necessary to add without effect. There were two more noisy preparations made in the neighbourhood of Buffalo, which suggested the design of again attempting the invasion, but none took place. The project was abandoned, it was said,

owing to the lateness of the season, and the troops went into winter quarters.*

Thus ended the third attempt in 1812 to take possession of Upper Canada. Like those preceding it, it had also failed in its purpose, if not with the same disgrace and discomfiture. It became plain at Washington, and to the war party, that Canada would not be the easy conquest which traitors in the country, and politicians in congress, had prophesied. But with the triumph in the field of Canada, there was the great loss of Brock, which the United States might have regarded as a counterpoise to the disasters they experienced. Brock had by his energy saved Canada. His chivalry of spirit was felt by all who came within his influence. There are men of this calibre, of whose power we cannot explain the cause, even when we feel that we are subjected to it. Brock found the country dispirited, mistrustful of its strength, and uncertain of its capacity of resistance. He had, moreover, to contend against the overpowering sense of the limited means at his command to effect any result; at the same time, he was fettered by the command of an irresolute and incompetent superior. All his letters shew that he felt himself to be on mined ground, which, on slight impulse, would explode, to create ruin and devastation; that with one great reverse the cause he represented would be irretrievably lost. It was this reverse he toiled to avert. With everything dark about him he never lost heart. He always confidently looked forward to the future. As events went onward, and he felt the response made to his own brave spirit, the courage and devotion he called forth reflected back upon himself, to heighten his determination, to confirm his enterprise and to make his gallant nature full of hope and confidence. He saw at once what the Canadian militia were capable of doing, and that the loyal, brave, and undaunted spirit transmitted from their sires, to the greater part of the population, was undegenerate,

* Can. Arch., Q. 317, p. 14, 1st of December, 1812, Cecil Bisshopp to Major-General Sheaffe.

and if possible burned even with a brighter flame. His confidence in what they could accomplish was unshaken. He judged most justly, for there is not a brighter passage in English history than the defence of British America by her children, under the circumstances of difficulty, doubt, and danger in which they fought for their homes, their flag, and their birthright as British subjects.

The call to active service in this short campaign could not fail to cause great distress in many families. Where the young men were called to the field, their places at home became vacant, and the void in some instances was painfully felt. Many, too, were imperfectly clad, and food was not always as plentiful as the exercise of strength, and the tax of endurance demanded. With the abandoned family it was always scant. A subscription was commenced at York to meet the emergency. Food was bought and distributed ; the young women of every rank cheerfully laboured to prepare flannels and dress for the men, and to care for the children of their absent sires. Moreover, winter was coming on, and its rigours had to be considered and provided against. In December, 1812, the "Loyal and Patriotic Society" was formed. The object was to furnish proper clothing and comforts for the men in the field, and to extend aid and sustenance to the distress arising in families, where the husband and son were absent in defence of the province ; to comfort and succour the wounded, and sick ; and, as far as possible to compensate the losses suffered in the war through plunder, or otherwise, by such as were ill-able to bear them : in a word, to extend help, countenance and sympathy in all quarters where they were required and deserved. As the war continued the duty of supporting the widows and orphans of the killed was added. The president was the chief justice, Thomas Scott ; the treasurer John Strachan, afterwards first bishop of Toronto. He had that year been appointed first rector of York and had shortly before arrived to take charge of his parish.*

* The directors were William Campbell, afterwards Chief Justice ; John Small, W. Chewett, J. Beverley Robinson, afterwards Chief Justice ; William Allan, Grant Powell and Abel Wood.

An appeal was made in England for assistance throughout the empire. In England, owing to the exertions of the duke of Kent, the father of the queen, £5,000 was collected. In Jamaica, £1,419; in Nova Scotia, £2,500; in York (Toronto), £1,868; in Kingston and the eastern districts, £600. Additional sums were collected, the whole amounting to about £17,000. So judiciously was the sum administered that a balance remained at the close of the war. It is a source of pride and satisfaction to know that the object to effect which the "Loyal and Patriotic Society" was formed, was zealously, ably, and unceasingly kept in prominence, and that the duties it entailed were admirably performed.

Ought not some memorial to be constructed to perpetuate the memory of what was then accomplished? Not in the battle field, but in the path of beneficence and duty. The country was passing through a crisis, which demanded self-sacrifice, self-reliance, devotion, and consideration for every sufferer in the cause. Such a monument, as a matter of right, should be placed in the most prominent spot in Toronto, where the society had its origin, and where the administration of its affairs was centred.

No elaborate effort of architecture is called for. An obelisk built as high as the collected funds would admit, with a short inscription reverently recording the devotion of our fathers, which created and sustained the patriotic fund, would be read by their latest posterity with a sense of what was accomplished at the call of duty, and would present a perpetual incentive to their descendants in the hour of trial, not to be wanting in imitating their example.

SIR ISAAC BROCK.

Although sir Isaac Brock is so spoken of in Canadian history, he was known during his life in Canada only as general Brock, having, when living, never borne the title. The honour he received as extra knight of the Bath, was dated in London on the 10th of October. On the 13th of the month he had fallen at Queenston. Posterity, desirous of testifying the great respect entertained for his memory, when relating the events in which he bore part, describes him as if he had then been in possession of his well-gained honours.

He was the eighth son of John Brock, of Guernsey, born in 1760. He is described as being always tall and robust for his age, with strength and determination, the best boxer and swimmer of his set, at the same time of the most gentle and kindly nature. From a school at Southampton he was sent to a French pastor at Rotterdam. He entered the 8th regiment as an ensign, when but little over fifteen, in 1790. Having raised an independent company, he was gazetted captain, but placed on half pay. In 1791, by purchase, he changed into the 49th. He served with the regiment in Jamaica and Barbadoes, became major in 1795, and lieutenant-colonel in 1797. The regiment had fallen into bad habits, and bad discipline; but, under his rule as lieutenant-colonel, it soon regained its good character. Under his command it served with Moore in North Holland in 1799, and was present at Egmont-on-Zee. It was likewise in the expedition of sir Hyde Parker and Nelson in 1801, at Copenhagen. In 1802 Brock came to Canada.* From that date till his death, his name becomes a part of the history of the country.

After Brock's death, a monument voted by the imperial house of commons was placed in the south transept of Saint Paul's, and the honours that, had he lived, he would personally have received, were granted to his family.

On the 12th anniversary of his death, on the 13th of October, 1824, his remains with that of his aide-de-camp, M'Donell, were with great ceremony deposited in a monument erected on the heights of Queenston, constructed by a vote of the provincial legislature. On Good Friday, 1840, it was blown up by a ruffian, an Irish-American. The site did not long remain a scene of devastation. A few months afterwards, on the 30th of July, 1841, a meeting of over 8,000 persons was held in the open air beside the ruin. Sir George Arthur, the lieutenant-governor, presided. Several of the Indians of the Six Nations were also present. It was unanimously resolved to restore the monument at public expense. The result is the graceful column which now stands on Queenston heights, on which is placed a statue of the man by whose foresight and genius, more than by any other influence, Canada was preserved to British rule. In the village of Queenston there is also a memorial church with a window, placed there by the York rifles, the corps to which Brock's last order was given.

The history of the war until Brock's death furnishes at the same time his individual biography, and his career is to be read, as that of the protagonist in the narrative of the preceding pages. His own character and genius are to be traced in the national triumph he accomplished. No name is better preserved in Cana-

* Ante, VII., p. 493.

dian history. In priority to all others, his has become a household word to each succeeding generation, as the type of chivalrous honour and unsaluting gallantry; as of one who remained undismayed in the most threatening circumstances. In the hour of danger he exposed himself like the humblest soldier in the ranks; he was foremost when toil was to be exacted, and was to be seen the most prominent wherever the call of duty pointed. He brought the mind of a statesman to every enterprise in which he was engaged; he had no love for the desperate exhibition of reckless courage to extort admiration. His boldness of conception was dictated by the conviction of the necessity of accomplishing results that he felt to be indispensable to the public weal. By his own conduct he set the bright example for others to follow. If he did not spare others, he never spared himself. Gentle, considerate, kind and sympathetic with men of all ranks and in all circumstances, no commander ever shewed more firmness in the maintenance of discipline and order. It is not an exaggeration to say that even to this day in Canada, many cannot pronounce his name without the tremor of suppressed emotion. Well may we apply to his memory the celebrated words of Pliny.

“ Necessa est tanquam immaturam mortem ejus . . . defleam; si tamen fas est aut flere, aut omnino mortem vocare, qua tanti viri mortalitas magis finita quam vita est. Vivit euim, vivetque semper, atque etiam latius in memoria hominum et sermone versabitur; postquam ab oculis recessit.”* [Pliny, Ep. II., I-10.]

These words were written in memory of Virginius Rufus, who commanded in Britain during the reign of Nero. When Galba was named emperor, Rufus' soldiers desired his nomination, but he would allow no one to be appointed to the dignity unless chosen by the senate. On the suicide of Otho, the troops again urged the acceptance of the honour, but he again refused. He died in the reign of Nerva, A.D. 97, aged 83, honoured and beloved by all classes at Rome. He wrote his own epitaph, in which he said he had fostered the imperial dignity not for himself but for his country.

“ Imperium inseruit non sibi sed patriae.”

* “It is inevitable that I bewail his death as premature if it be right, that either I mourn, or in any way call that death, by which the mortal element of so great a man is more ended, than is life itself. For he lives, and will forever live even wider in the memory of men, and will retain a place in our converse after he has departed from our view.” [Pliny, Ep. II., I-10.]

Brigadier-major Thomas Evans, whose good service at Queenston is recorded in the text, afterwards known in Canada as general Evans, died in Quebec, in 1863, at the age of 85. He was there buried with military honours. Subsequently his body was removed to Three Rivers and placed by the side of that of his wife, the daughter of judge Ogden, her brother being the well known attorney-general Ogden, of Quebec.

Evans was born at Wolverhampton, in Staffordshire, in 1778. After a year's service as a volunteer, he entered the army in 1794. He was captain in 1803, major in 1812. He became a major-general in 1838, and colonel of the 81st in 1847; finally, general in 1855. His service extended from 1794 till the close of the war in 1815. He was present in the West Indies at the capture of Demerara and Berbice in 1796. Returning from South America, he was taken by a French cruiser, and remained a prisoner in France during 1797. He was at Minorca and Guernsey the two following years, and on the coast of Spain, and at Malta in 1800. He was present in the Egyptian campaign in 1801, at the surrender of Cairo and Alexandria, having taken part in the actions of the 8th, 13th, and 21st of March, and the fight at Rahmanie. From 1802 to 1806 he was aide-de-camp to sir Gordon Drummond in the operations at Gibraltar and the West Indies. He accompanied that general to Nova Scotia, and subsequently to Canada as military secretary. It will be seen in the following narrative that he participated in every affair in Upper Canada during the war. He was wounded four times; his name was mentioned in ten *London Gazettes*, for distinguished conduct. It was he who marched the 2nd battalion of the 8th king's regiment from New Brunswick to Canada through the forest. No one saw more varied service. Constantly placed in most difficult positions, he was invariably distinguished by forethought and courage, that never quailed, or faltered, and by a rare military perception which made his presence invaluable. Of his forty years' active service he passed but two in England.

Evans was awarded the £200 a year distinguished service money, which on his obtaining the colonelcy of the 81st was no longer receivable by him. His four sons were in the army. One when young, an officer of great promise, was killed in the Afghan war of 1842; the second died a lieutenant-general of artillery. The third son, after a short service, settled in Australia; the fourth is at present a resident in Montreal, major Richard Evans, formerly of the 16th, to whom I am indebted for the papers which furnish my authority for what I have written.

Evans had high powers of organization. In this respect his services in the war were incalculable. The following extract of a letter from Brock to him on the day after the taking of Detroit, 17th of August, 1812, is the highest certificate of his merit and ability that can be desired.

" Dear Evans,

" Detroit is ours, and with it the whole Michigan Territory, the American Army Prisoners of War. The force you so skilfully prepared and forwarded at so much risk, met me at 'Point au Pins' in high spirits and most effective state. Your thought of clothing the militia in the 41st's cast-off clothing, proved a most happy one, it having more than doubled our own regular force in the enemy's eye. I am not without anxiety about the Niagara [sic] with your scanty means for its defence, notwithstanding my confidence in your vigilance and admirable address in keeping the enemy so long in ignorance of my absence and movements." . . .

CHAPTER III.

The important events of 1812 were limited to those that have been narrated ; some minor events, however, demand record. A picket had been established at the Indian village of Saint Regis, at the foot of the Long Sault rapids, on the southern shore, at the extreme western corner of Canada, where the line 45° is first met. The post was attacked on the 23rd of October by 400 United States troops under major Young, who had made their way from lake Champlain. The Canadian detachment was composed of 30 of the militia, taken from the *voyageurs* acquainted with the river ; the object of placing them there having been to assure the transport of provisions and stores. Some resistance must have been made, for the officer in command, lieutenant Rototte, a sergeant, and six men were killed, and twenty-three taken prisoners. The United States troops when plundering the village, which they did mercilessly, found in the house of the interpreter a Union Jack, which it had been his custom to display before his house on Sundays and holidays. The feat of obtaining it, major Young grandiloquently described as a trophy of "the first colours taken during the war !"

A United States post had been established on the Salmon river, some six or seven miles from the Saint Lawrence, access being obtained to Canadian waters by this tributary. The stream has its discharge into lake Saint Francis, on the south shore, some nine or ten miles below Saint Regis, opposite to a point half way between Lancaster and Cornwall. Its sources are in the high lands in the State of New York, on the spurs of the Adirondacks. Even at this date, a road ran from Malone, higher up the Salmon river, to Plattsburg on lake Champlain, curving up to the north to what was known as "Four corners," whence, roads entered Canada to the river

Chateauguay. A road also ran along the eastern side of the Salmon river to lake Saint Francis. It was by these lines of road, that communication was obtained between the Saint Lawrence and lake Champlain, so that troops from Plattsburg could easily be moved for any hostile expedition to Central Canada. From its proximity to the river, the post was regarded as a threat against the ascent of supplies, and the determination was formed to attack it. On the 23rd of November, colonel McMillan with seventy men of the 49th, the Glengarry regiment, and some artillery, with about the same number of the Cornwall and Glengarry militia, vigorously assaulted it. The United States troops took refuge in the block-house, but finding resistance of no avail, the party surrendered. It consisted of a captain, 2 subalterns, and 41 men ; 4 *bateaux* and 57 stand of arms were taken with them.

While Van Rensselaer and the force extending from Niagara to Buffalo were threatening the whole frontier, to make it doubtful where the attack would be made, Dearborn, in accordance with his instructions, had massed nearly 10,000 men on lake Champlain to threaten Lower Canada, to prevent, by the exigencies of the situation, troops being sent to reinforce the troops in the western provinces.

In Lower Canada, to meet invasion, a cordon of troops was established from Ymaska to Saint Regis, and a brigade had been posted at Blairfindie, or L'Acadie, as it was also called ; a central place between Saint John's and Laprairie. During the summer, reinforcements had reached Canada. The 103rd regiment had arrived at Quebec in July. The battalion of the 1st, the Royal Scots, had landed from the West Indies. Transports had also contained drafts for the several regiments in the country. The troops sent to Blairfindie consisted of the flank companies of the 8th, 100th and 103rd, with the Canadian Fencibles, the flank companies of the embodied militia, and a battery of artillery of 6 guns. The roads to Odelltown were blockaded, and rendered impracticable by *abattis*. The district was consequently placed in a good state of defence.

In the cities, three battalions of militia were called out in Quebec, each in turn undertaking garrison duty. In Montreal a fifth battalion of militia was incorporated which afterwards became "The Canadian Chasseurs;" while the 1st battalion of Montreal sedentary militia organised voluntarily four companies for garrison duty, and for service in the field if necessary.

Major de Salaberry with the Voltigeurs was in command of the advanced posts. He had received information of an intended attack upon Odelltown, to be conducted by Dearborn, who was in occupation of Champlain, a town two or three miles over the boundary line. The force on the river Lacolle was strengthened to consist of two companies of Voltigeurs, 300 Indians, and the militia gathered from the adjoining parishes.

On the 20th of November, between three and four o'clock, the captain of the day at Odelltown observed the attacking force fording the river Lacolle. No sooner was the out picket apprised of its danger, than the hut occupied by the troops was surrounded. It was soon set on fire, but the picket and the Indians attached to it, forced their way unhurt through their assailants. The United States troops had forded the river in two spots, and advancing by two routes which converged, they met unexpectedly. Each mistook the other for the enemy they were present to attack, and a brisk fire was exchanged before the mistake was discovered. As the attempt at surprise failed, the invading force retreated carrying off their dead and wounded. At daylight three or four of the killed, and five wounded were found by the Indians. The strength of the attacking force was said to be 1,400 infantry with a troop of dragoons.

The movement was regarded as a reconnaissance in force, to be followed by an invasion with all the strength Dearborn could bring into the field. By a general order, the whole Canadian militia were called out to active service, to assemble at L'Acadie. The call was zealously responded to. The battalions of the district of Montreal marched forward with

enthusiasm. There was, however, on this occasion, no call for their services in the field. From information received, it became certain that no attempt would be made at that late season, especially after the failure of Smyth on the Upper Niagara had become known on lake Champlain. The militia were accordingly ordered into winter quarters. It was said afterwards of Dearborn's campaign on lake Champlain, that it had lasted four days!

The legislature of Lower Canada met on the 29th of December. Prevost congratulated the house upon the loyalty and good disposition of the population, the determination which had been shown in both provinces, and the confidence which their conduct had inspired. He related the discomfiture of the plans of the United States for the conquest of Canada, which had been thwarted by the capture of Michilimackinac and the taking of Detroit, with the surrender of Hull's force. The brilliant achievement of Queenston had followed; painfully clouded by the death of the gallant, and deeply lamented Brock. He expressed his thanks for the resolution shewn in Lower Canada, by which all attempt at invasion had been rendered impotent. Prevost also dwelt upon the success of the British arms in the peninsula. The prince-regent, he added, had such confidence in the courage and loyalty of his Canadian subjects, that he was fearless, both as to the result of any attack upon the province, and as to any attempt to alienate their affection from his government. He alluded to the beneficial effect of the issue of the army bills; and likewise recommended a revision of the militia laws.

An early cause of embarrassment to the government arose by Mr., afterwards sir James Stuart assuming an attitude of opposition. His first proceeding was a motion for inquiring into the causes and injurious consequences, that might have resulted from delay in the publication of the laws of the preceding session. The motion was made as if in the interests of the militiamen, who had created disturbance at Lachine the previous year, on the act being brought into operation.

It was designed to shew, that the rioters had erred from ignorance of the law, and, that such was the case, was attributable to the neglect of the government. Public opinion, however, was inclined to accept this explanation as the apparent, rather than as the true motive. Stuart had been dismissed by Craig from his position of solicitor-general, and it was the general opinion that he desired to assert himself, and convey the lesson that it was dangerous to offend, and wise to conciliate him. A question arose as to the attendance of the clerk and other officers of the legislative council to give evidence on the subject at the bar of the house. The council refused its permission as none had been officially asked ; and the summons had been issued independently of its authority. Finally, in order not to interfere with the discussion of measures affecting the defence of the province, their attendance was allowed ; but a protest was made against the proceedings taken by the assembly, and the right reserved of asserting the privileges of the council, when expedient to do so. The inquiry led to no result, although pertinaciously continued.

The project likewise of appointing an agent to the assembly was resumed, and postponed to the succeeding session.

A bill was carried in the lower house to aid in the support of the war. It imposed a tax on the salaries of government officials ; 15 per cent. on the salary of £1,500 and upwards ; 12 per cent. on £1,000 and upwards ; 10 per cent. on £500 and upwards ; 5 per cent. on £250. As the emoluments of the government officials were those only that were taxed, the injustice of such a measure was manifest, and it was accordingly thrown out by the council.

Stuart also brought before the house the authority exercised in the courts of law under the denomination of the rules of practice. The subject was deferred. In his speech to the house, Prevost had alluded to the introduction of martial law. Stuart was strong in his opposition to any such measure. He argued, as set forth in the resolutions introduced by him,

that the power of recurring to martial law had been removed by imperial acts of parliament, and by the militia acts of the province; consequently, the limits of martial law could not be enlarged without the authority of the legislature.

I have related the steps taken with regard to the army bills. The money votes given in support of the war, viewing the condition of the province, were liberal in the extreme, £15,000 was voted for the equipment of the militia, £1,000 for hospitals for the militia, and £25,000 towards the general expenses. No amendment could be made to the militia act, owing to the disagreement of views between the assembly and the council. A duty of $2\frac{1}{2}$ per cent. was imposed on all importations except provisions; with an additional $2\frac{1}{2}$ per cent. on all importations made by persons, who had not been six months in the country, previous to the arrival of the freight consigned to them.

Mr. Lee introduced a motion to prevent judges of the Queen's Bench sitting in the council. The consideration of it was postponed.

The assembly during this session again appeared as the prosecutor of the press. A letter appeared in the Quebec *Mercury* addressed to "A party leader," signed "Juniolus Canadensis." It was perfectly well understood to apply to Mr. Stuart. It was pungent and bitter, and must have been keenly felt by the party against whom it was directed. Mr. Lee moved, that the letter was a false and scandalous libel and a breach of privilege. The motion followed, that the editor, Mr. Cary should be taken into custody. Mr. Cary left Quebec and the day after the prorogation, which took place on the 15th, he informed the majority with his respects that he had been absent on a tour of business, and that he had arrived too late to have the honour of waiting upon them. He was, however, at a loss to conceive, how his presence would have assisted the house in its vocation of passing laws.*

* I deem it proper to preserve a few paragraphs of this letter. "At a time when the enemy is at the door, and when nothing but the cheerful alacrity, and the honorable ardour, almost unexampled which this province has hitherto ex-

There was a line of conduct followed by Prevost, which cannot be passed over ; his appropriation of the success of operations, to the execution of which he had withheld his approval. He spoke of the "fortunate surrender" of Michillimackinac, as if the attack had resulted from his own instructions. In describing Brock's success, Prevost represented him as "relying upon the strong assurances I had given him of a reinforcement, as prompt, and as effectual as circumstances would permit," consequent upon which, Brock had been led to adopt vigorous measures. The contrary had been the case ; for Prevost had stated he required the presence at Quebec of every soldier available, and no reinforcements had left Quebec before the 30th of July. The result was, that in London, much of the merit of Brock's enterprise was ascribed to Prevost's efforts and encouragement. Lord Bathurst wrote that the prince regent was fully sensible "how much your exertions and arrangements had contributed to the fortunate conclusion of the campaign." After Brock's death Prevost suppressed* in his general order the higher praise given to

hibited (with one or two trifling exceptions) from one end to the other, can save it from falling ; at a time when every generous spirit is roused in the consciousness of a just cause, and eager to chastise the wicked presumption of a foe at once insidious and savage ; at such a time as this, what is your employment ? You are damping that alacrity, checking that generous ardour ; you are busy in sowing the seeds of embarrassment and delay ; you are spreading the subtle venom of mistrust and disaffection ; you are picking out flaws with the microscope of a lawyer in the proceedings of government ; you are cavilling, you are coloring, you are inflaming, you are fomenting groundless discontent ; and what is this but to create unnecessary misery ? You are painting evils and passing them for real, as you hold them up to those whom, if real, they would affect. This is your chosen office ; this your patriotism ; and you revel in the plenitude of your temporary success. . . . Go on then—and treasure up for yourself the recollection of prostituted energies and perverted talents ;—go and bask in the consciousness of successful exertions directed against the vital interests of that country which gave you birth ;—proceed to the great work which you have so happily begun ; and if heaven avert not the consequences of your endeavors, you may yet perhaps smile at the ruin which is around you, and exclaim with genuine satisfaction and unrepressed rapture—'I have contributed to this.' " [Christie, vol. II., p. 66.]

* The words suppressed were "This would have been sufficient to have clouded a victory of much greater importance. His majesty has lost in him not only an

Brock, merely giving the words of recognition of the severe loss of his services experienced in his death. When the fact became known after the war, it caused great indignation. Prevost was one of those, who in their lifetime are living examples how the pen is mightier than the sword. Fortunately for history, the triumph is short-lived. I will again have to recur to this subject as occasion may demand.

In Upper Canada, Sheaffe summoned the parliament to meet on the 25th of February; it was prorogued on the 13th of March. In his speech, he congratulated the members on the success of the campaign, the valour of the regular force, and the zeal and bravery of the militia. He spoke of the lamented death of Brock. He communicated the sense entertained by the crown of the services rendered, and the sacrifices undergone by the province during the war, and he suggested certain amendments to the militia law. A complimentary address was passed congratulating Sheaffe on assuming the administration, at the same time deplored the loss which led to his occupying that position. Sheaffe expressed his warmest thanks for the confidence reposed in him. Eleven acts were passed; the militia laws were amended giving the lieutenant-governor authority to accept the voluntary services of militia men, to appoint officers, and to form regiments of incorporated militia, to serve during the war. The lieutenant-governor was authorized to prohibit the export of grain, and its consumption for distillation, when held expedient. The army bills were recognized as a legal tender.

The act granting the use of public funds for the war was continued; and to increase the amount available, many appropriations were repealed, thus placing the whole revenue at the governor's disposal.

able and meritorious officer, but one who, in the exercise of his functions of provisional lieutenant-governor of the province, displayed qualities admirably adapted to awe the disloyal, to reconcile the wavering and to animate the great mass of the inhabitants against successive attempts of the enemy to invade the province, in the last of which he unhappily fell, too prodigal of that life of which his eminent services had taught us to understand the value." [Tupper's Life of Brock, p. 338.]

A few unimportant acts were passed. Sheaffe also, in compliance with the request of the house of assembly, enclosed an address to the prince regent, praying that he would grant to the family of Brock some of the waste lands of the province, so that his name would be preserved among them.

The campaign of 1813 had been mapped out by the secretary of war in the United States, with the complacency which characterised the public utterances of the authorities at Washington. Although, we now know how bewildered they were by the reverses experienced in the previous campaign, the most assured successes were foretold. The entire subjection of Upper Canada above Prescott was contemplated. The first project was the destruction of the shipping at Kingston, both Prescott and Kingston being assailed. The capture of York (Toronto) was to follow, and active operations were then to be directed against fort George and fort Erie.* This policy had been foreseen by Brock. The province was now to suffer from the prohibition of Prevost, of the course suggested by him after the fall of Detroit; the attack of Sackett's harbour, and the attempted destruction of the shipping, for which expedition the organization had been begun at Kingston. The disasters experienced in the early months of this year may be affiliated to this refusal: the occupation of Toronto, and the destruction of its principal buildings; with the subsequent abandonment both of fort George and fort Erie.

The aggressive policy of the United States towards central Canada had principally been directed from Ogdensburg, opposite to Prescott, under the command of captain Forsythe with a detachment of rifles. This officer had undertaken some of those operations, to which the French give the name of *la petite guerre*. In his case they may be better described as predatory excursions. They were without any specific purpose, and were principally directed against property and

* The note of the secretary of war, Armstrong, of the 8th of February, 1813, presented to the United States cabinet, setting forth this policy, is given by Wilkinson, Vol. III., App. XXVI. It is not paged.

the liberty of the individual. As the Saint Lawrence becomes frozen over at this spot a few days after Christmas, and remains so for eight or ten weeks, the river can be crossed at any point. The spots always selected by him for his inroads were undefended; indeed no attack of any kind was looked for, as scarcely a combatant, as such, was present. There was no advantage to be gained from these raids in the main operations of the campaign, while they inflicted much unnecessary private suffering. They had, however, the advantage of furnishing an occasion for narratives of Forsythe's remarkable success, of victories gained over preponderating numbers, and of the individual gallantry he displayed. No few of these dishonest hectoring statements still retain their place with some writers. I have related the raid upon Gananoque. On the 6th of February an attack was made on Elizabethtown, now known as Brockville, that name shortly after the death of Brock having been given to the place. It was then a straggling village, where a small party of militia was stationed to keep open the communication. One sentry was on duty; he was wounded. The United States detachment, which consisted of 200 men and several volunteers, proceeded to break into the houses in the village, and throw open the doors of the jail. Of the male inhabitants 52 were carried away as prisoners, with some cases of muskets. What could be gathered of horses, cattle, pigs, poultry, and provisions belonging to the few inhabitants were seized and appropriated. Public property there was none. The raid accomplished, the troops returned with their plunder.

A few days following the event, lieutenant-colonel M'Donnell of the Glengarry Fencibles was ordered by the commandant at Prescott, colonel Pearson, to proceed with a flag of truce, to Ogdensburg and to remonstrate against such expeditions. He was received by the officers at Ogdensburg with extreme courtesy, with taunts and boasting. One of the lieutenants present, M'Donnell recognised as a man he had known the previous year, as a servant in a family. Forsythe, the officer in command, was no whit behind his

subordinates in insolence, and suggested that the two forces should try their strength on the ice.

M'Donnell succeeded to the command at Prescott two days after his mission. On the same evening sir George Prevost arrived on his way to Kingston. M'Donnell reported all that had taken place; and as he pointed out that Prevost himself might be attacked on his trip, precautions were taken to meet the emergency. M'Donnell endeavoured to obtain authority to attack Ogdensburg, but Prevost, assigning as a cause, that he did not desire by any hostile acts to keep up a spirit of enmity, would not entertain the request. Finally, on the 22nd of February, as he was stepping into his sleigh he consented that a demonstration might be made upon the ice, but that no real attack should take place. On the following morning, at seven o'clock, the 23rd, M'Donnell, with a force consisting of 480 regulars and militia, with two field pieces and two 3-pdrs., started upon the ice. The distance across the river exceeds a mile and a half. Much caution was required in crossing, for the place selected was not the line usually followed. M'Donnell states that the ice undulated as they marched, and from time to time cracked with the noise of cannon, as if about to swallow them up. The troops advanced in extended order. The right column, under the command of captain Jenkins of the Glengarrys, was composed of his flank company and 70 militia. M'Donnell, in charge of the left, marched against the town. It consisted of 120 of the 8th, 40 of the Newfoundland regiment and 200 militia. Artillery accompanied both divisions. The depth of snow on the southern bank of the river was greater than had been looked for, by which means the advance was delayed, and both columns were exposed to a cross fire for a longer period than had been anticipated. But they hastened forward. The left column gained the bank and carried the right of the position by a bayonet charge of the 8th, by which movement M'Donnell obtained possession of the artillery, and drove the infantry through the town. A certain number sought refuge in the fort after crossing the Black

river ; others obtained shelter in the houses, whence they kept up a heavy fire, so that it became necessary to drive them from this shelter by the field-pieces, when the majority of them fled to the woods.

A summons was sent to the fort to surrender unconditionally. Captain Jenkins of the Glengarrys, who had led the attack on the battery, was wounded by grape shot on the left arm. Still leading on his men, he was wounded in his right arm ; he, however, continued to cheer on the troops until from loss of blood he succumbed, and was carried off the field. Opposed by a superior force the detachment, though gallantly led by lieutenant McAuley, was forced to give way, losing some prisoners.

No answer being sent to M'Donnell's summons, he carried the eastern battery and turning the guns against the remaining battery, he silenced it. A charge was then made by the 8th and the militia. As they entered the fort, the garrison abandoned it and took refuge in the woods. There were no Indians with M'Donnell to pursue the fugitives. The United States troops have been estimated from 500 to 1,000 men.*

The action lasted about an hour. Eleven guns were captured, among them two of the 12-pdrs. surrendered by Burgoyne in 1777, with a large quantity of ordnance and military stores of all descriptions ; 4 officers and 70 privates were taken prisoners. Two barracks were burned, also two armed schooners and gun-boats, which, being frozen in the ice, could not be moved.

The loss of the British was 8 killed and 52 wounded, among them colonel M'Donnell himself. There was never any account of the United States loss, and very chary mention to this day is made of the attack.

The importance of this success was undoubtedly great. The destruction of the barracks had no slight influence on

* The former was the official statement made immediately after the action on the 23rd, but a MS. note of M'Donnell adds, "At the least, I really think many more, probably 1,000. There were present half a rifle regiment and a battalion of militia."

the movements of the United States troops. General Pike shortly afterwards arrived with 5,000 men; but finding no cover left for them by M'Donnell's attack, they marched to Sackett's harbour. The arrival of this force gives ground for the supposition that an attack in force was designed from Ogdensburg on Prescott, thence to be directed against Kingston. Who can surmise what the result might have been? *

An incident occurred at fort Erie on the 17th of March, which appears to have been purposeless, except from the explanation given to it by general Vincent, that it was a Saint Patrick's day frolic. The fort was cannonaded from noon of the 17th until six o'clock the following evening. The effect was, that one man was killed and seven wounded. It was replied to with vigour. Three of the guns of the United States battery were dismounted, and the fire was considered to have done much execution. The result, however, was never made known. If there had been any object in the cannonade, it was not followed up, and the proceedings remained inexplicable, except as accounted for by general Vincent. †

Canada was now to experience the consequence of Prevost's refusal to entertain Brock's proposition to attack Sackett's harbour and destroy the shipping there; for the safety of

* There are circumstances connected with M'Donnell's despatch which place in prominence the reprehensible side of Prevost's character. The published despatch contains these words, "In consequence of the commands of his excellency to retaliate under favourable circumstances upon the enemy for his late wanton aggressions on this frontier, I, this morning," etc., etc. As I am writing, I have before me a memorandum in M'Donnell's handwriting. It sets forth, "These words were never written by Major M'Donnell, and (sic) foisted into letter most shamefully." "What Major M'Donnell really wrote was, that in consequence of the permission of H. E. to make a demonstration, he had presumed to cross," etc., etc.

On leaving Prescott, as has been narrated, Prevost had authorized a demonstration, but had forbidden a real attack. He had proceeded only nine miles, to Flint's Inn, when he sent positive instructions not to make the attack. This letter, strange to say, was received by M'Donnell in Ogdensburg. Afterwards, in a private note, in answer to the report of the success achieved, Prevost could not forbear the remark, that his instructions had been "rather exceeded."

† [Can. Arch., Q. 317, pp. 99, 100, 102.]

Upper Canada lay in the preponderance of British power on the lakes. No effort had been made, in 1812, by the British ministry to perfect the naval organization ; and the province, directed by the feeble purpose of Prevost, had been left to its own resources. In contrast to this deplorable listlessness, Chauncey, at Sackett's harbour, had shewn great activity. Even as the navigation was closing, he had sailed forth unopposed on lake Ontario. In Kingston, the vessels constructed were without crews. The Canadian sailors engaged in the transport trade, whatever their will and courage, were in no way drilled for war operations ; whereas, in Sackett's harbour a number of disciplined naval officers and seamen had been sent forward from the Atlantic coast. During the winter Chauncey had manned his vessels, and had trained and drilled the crews. At the early opening of the navigation he was ready for action. Independently of his energy in perfecting the naval force, a large body of men of the land force had been centred at Sackett's harbour. In February, general Pike had arrived with 5,000 troops, and plans for the campaign had been deliberately considered.

On the 25th of April Chauncey left his winter port. His fleet consisted of fourteen ships, the principal of which was the lately constructed vessel, the "Madison." Chauncey himself related, that he embarked 1,700 troops for the expedition. It is estimated that with the crews of the vessels, the number present was 2,600, or 2,700 men at the lowest computation.

York [Toronto] was entirely without fortifications to resist any well organized attack. The place consisted of a few central thinly inhabited streets, surrounded by detached houses, each one generally with its little garden, the population then being a few hundreds. Bishop Bethune tells us, that seven years later it did not exceed 1,000. The old French fort, some two and a half miles distant, overlooking the lake, was a mere memento of the past, incapable of offering resistance, simply a land-mark. A block-house and fort, with some intrenchments, had been constructed at the entrance of the harbour,

which still retain the appearance of the old fortification.* The enclosure was protected by a ditch, with cannon on the batteries. Three old French 24-pdrs., the trunnions of which had been knocked off half a century back, had been fastened upon pine logs, and some of the 6-pdrs. belonging to the "Duke of Gloucester" undergoing repairs, had been placed in position. The place was then the centre of what official life existed in Upper Canada, the acknowledged capital; but it had been held to be of no importance as a military post, and no steps had been taken for its protection. It is inconceivable, that after Brock's death scarcely any effort had been made to create even a slight system of defence. The events of Brock's life had passed with such rapidity that it is easily explicable why this point had been reserved for his successor. Sheaffe, as administrator of the government and as commanding officer, must be held responsible for so little having been done. The troops quartered in the garrison consisted of a company of the Glengarry Fencibles, one of the Newfoundland regiment, and some companies of militia, with a small detachment of royal artillery. There were present a few artificers engaged in ship-building. By accident, two companies of the 8th regiment were present on their march

* The old fort in Toronto remains, to a great extent as it was at that date, but in an unsightly condition, and in an extreme state of dilapidation. Thirty years ago it was used as a barrack, and it is occupied as a store house for the militia equipment, to this day. The proposition has been discussed that the city should apply to the Dominion Government for the site on which it stands, in order to restore the outlines of the old fort, and turn the inner area into a garden: it is not of a size sufficient to be called a park. It could, however, be made an ornament to the western part of the city, and would often be visited on summer evenings. I cannot learn if any steps have been taken to attain this end. The subject is worthy the attention of any public man. Probably the late incumbent of the office of lieutenant-governor, John Beverley Robinson, who obtained for the province the remarkable series of portraits of the lieutenant-governors of Ontario may undertake the consummation of the project, in connection with the mayor of the city and other leading personages. They would perform a great public service to Toronto, while the expense would be by no means of a serious character, and an important memorial of those trying days would be preserved.

from Kingston to reinforce Niagara. The total number capable of being brought into the field was about 600 men.

Some such movement as that contemplated by Chauncey was looked upon as probable, and a watch had been placed at Scarborough heights, some five miles to the east of the town, to obtain early intelligence if it happened. On the night of the 26th, the news was brought that a fleet under sail was approaching. Sir Roger Sheaffe was then in the town in his double capacity of administrator, and senior military officer. Accordingly, he took the defence under his charge, collected the few troops present, called out the militia that were available, and prepared as best he was able for the inevitable attack of the morrow.

Early in the morning, sixteen vessels were discovered lying to, not far from the town. About eight they arrived in Humber Bay, having been carried by the wind beyond their objective point, the harbour entrance. To those unacquainted with the locality, it may not be inappropriate to remark that the enclosed sheet of water in front of the city, about two miles in length and the same in breadth, the southern corners being rounded off, has been created by one of those travelling beaches, which, projecting from the mainland by a narrow neck, had eventually formed an island extending the two miles in length of the city, having left a narrow entrance to the west. From the influence of the shifting sands, the channel is constantly exposed to change of depth. What then constituted the city was upwards of a mile to the east of the entrance.

The first debarkation took place at eight o'clock under cover of the guns of the ships. A landing was effected by major Forsythe and 260 rifles. They were met by colonel Givins with 40 Indians, who had been sent forward to obstruct them. By some misunderstanding, the Glengarry company ordered in support had gone in the wrong direction, and arrived late upon the ground. As the Indians retreated before the advance of the United States troops, the entire force was rapidly landed, and by ten o'clock was actively engaged.

The few streets that constituted the town were mostly situate east of the present city hall; some detached houses, however, ran along the front of the harbour to government house, which stood approximately on the site of the present building. At that point the houses ceased. Much of the northern part of this locality, not far from the water line, had remained more or less as wood land. Between government house and the fort, the distance of nearly a mile, was then without an inhabitant.

On landing at Humber Bay the United States troops commenced their advance through the woods towards the town. It was here they were engaged by the force detached against them. It consisted of two companies of the 8th, with the company of the Newfoundland regiment, together numbering 210 men, with 220 of the Canadian militia. This small force made so determined a resistance, that the invading force was for a time held in check. But sustained by reinforcements, from its overpowering strength it was enabled to outflank the British line, and continued to press forward by the weight of numbers. It was here that the 8th, overwhelmed in the unequal contest, severely suffered. Their commander, captain M'Neal, was killed, with the sergeant-major, 3 sergeants, 40 rank and file ; 3 sergeants, 47 rank and file being wounded. Three were taken prisoners, making a total of 97 killed, wounded, and prisoners of the two companies. The Glengarry regiment did not suffer to the same extent. No returns of the militia are given in the official report. It was under these circumstances that those not *hors de combat* retreated.

Dearborn was himself in command, but he relates that he placed the operations under brigadier Pike. Pike had specially directed the attack against the fort. We have the record of an eye-witness of what took place while the fight was continuing in the woods.* A gun was being directed by

* "Journal of a voyage to Quebec in the year 1825, with recollections of Canada during the late American war, 1812-1813," pp. 286-287. The writer was the son of an officer present at Toronto on this occasion.

an officer of artillery against one of the vessels, which had now advanced opposite the fort, and was attacking it. The artilleryman was holding the match behind him waiting for orders to fire. The travelling magazine with the cartridges for the great guns was standing near him, and, not noticing its situation, he inserted the match into the chest. The consequence was an immediate explosion. All who were on the battery were blown into the air, the cannon were dismounted and rendered useless. The officers were thrown from the bastion, but escaped with bruises; three artillerymen were killed, with several of the troops, but the number is not given in the return.*

The vessels from the lake continued to discharge their heavy guns against the fort; while the force which had landed, now greatly increased in numbers, having driven back the detachment sent to oppose it, pressed forward its advance upon the town. There was no reserve powerful enough to withstand its attack. As it was known to Sheaffe that the explosion in the battery had silenced the fort guns, he abandoned all hope that further defence was possible. He determined, accordingly, with the troops remaining, to abandon the town. Prior to a retreat by the eastern road to Kingston, he assembled his men in a ravine, to be out of the effect of the fire.†

It was two o'clock; the unequal contest had lasted from seven. Sheaffe here commissioned colonel Chewett, and major Allan of the 3rd York militia, with the rector of the English church, Dr. Strachan, to capitulate, and to make the best terms they could with the United States officer in command.

Sheaffe with the stores he could carry away, and the small

* The incident is described by Sheaffe in his report. "By some unfortunate accident, the magazine at the western battery blew up, and killed a considerable number of men and crippled the battery."

† So far as it is possible to determine, the spot appears to have been the garrison creek ravine which ran from the north-west, in an irregular direction, passing not far from the fort. Owing to its depth the troops would have been amply protected.

force at his disposal, marched out of the town. He had proceeded a short distance, when he met the light company of the 8th on its way to fort George. He joined this body to his force, and it aided in the retreat which was not molested.

Pike, having taken possession of the fort sent forward a strong picket to learn what further opposition lay before him ; he had halted until the reconnaissance had been made. Within the enclosure of the fort were barracks and store-houses, likewise some public offices. A stone building on the river front constituted the powder magazine.

Pike, awaiting the return of the picket, was sitting upon a stump, endeavouring to obtain some information from a wounded prisoner, when the magazine exploded, causing great devastation. Pike himself lived but a few hours afterwards ; 260 of the invading force were killed and wounded.*

The conditions of the capitulation were, that the troops should surrender prisoners of war ; the public stores be given up ; the private papers belonging to the civil officers to be retained. The militia present, 36 officers and 204 rank and file, with 8 officers of the naval service, 15 artificers, and 4 of the artillery, were constituted prisoners of war to be accounted for in exchange. Major Allan, of the 3rd York, sent to Sheaffe his official report of the capitulation. He states the negotiations commenced at 3 o'clock ; he mentions the difficulty experienced in determining the articles, owing to the destruction of a ship and some naval stores, of which the United States officers complained. The report proceeds, "The conditions were not ratified by general Dearborn till next afternoon, during which period the Inhabitants were exposed to every sort of Insult and Depredation. But as matters were little mended by the ratification, it is presumed that these depredations happened more from the insubor-

* It has been stated that it was the act of a drunken private of the artillery, undertaken by his own impulse. I can find no satisfactory evidence of any kind on the subject. Certainly, no such desperate act of resistance had ever been conceived by Sheaffe. It is not impossible that the explosion was accidental.

dination of the Men than the work of the officers." Sheaffe's own baggage was taken as booty. All the public stores were carried away and the public buildings burned. Few houses in town escaped a minute search by two or three different parties, under pretence of looking for public property. Many of them were pillaged; some of the inhabitants had everything taken from them, and, threatened with the loss of their lives.*

The money in the provincial treasury fell into the invaders' hands, £2,000. It had been concealed, but a threat was made that the town would be fired unless it was produced.†

The late bishop Strachan at the time wrote to a friend in Scotland ‡ some memoranda of the capitulation, which have been preserved by his biographer. On hearing the explosion he went towards the fort, which by that time had been abandoned, except by its immediate defenders. He found Sheaffe in a ravine with the regular troops; the militia had commenced to disband. Sheaffe stated his determination to retreat to Kingston, and to leave to colonel Chewett, and major Allan, the duty of entering into a capitulation. Dr. Strachan offered his aid. They were also accompanied by the attorney-general, afterwards sir John Beverley Robinson. On the part of the United States, they met colonel Mitchell and major King, with a lieutenant of the navy, and major Connor, Dearborn's aide-de-camp. During the negotiation, it became known that a ship and some naval stores had been set on fire, which act, the bishop tells us, was a matter of complaint, and was spoken of as "very dishonourable." The capitulation was drawn up, subject to the ratification of the commanding officer. In spite of the truce, major Allan, from some unexplained cause, was shortly afterwards made a prisoner, and his sword taken from him, upon which Strachan returned to town in his company with the United States column. On their arrival, the militia which had been

* Can. Arch., Q. 121, p. 21, Allan to Sheaffe, York, 2nd May, 1813.

† Can. Arch., Q. 317, p. 122, Sheaffe to Bathurst, Kingston, 13th May, 1813.

‡ Bethune's life of Bishop Strachan, pp. 47-48.

assembled grounded their arms, and the main body of the United States troops returned to the garrison, leaving the rifle corps in possession of the town, nominally for its protection.

The following day, Wednesday, the 28th, the capitulation not having been ratified, complaint was made to major King. Strachan spoke very freely of the indignity shewn to Allan, and declared that the whole appeared to be a deception. King behaved well in the matter. He expressed his regret for what had happened, and desired them to go to the garrison, when everything would be arranged. Strachan accordingly saw colonel Pierce, who had assumed command after Pike had been carried away in a dying condition. The colonel could do nothing. Strachan learned, that the prisoners taken in the fort had been detained in the block-house without food, and the wounded were also confined without nourishment, and were uncared for. Pierce, on the fact being made known to him, ordered rations for them.

Some officers sent by Dearborn met Strachan, and discussed the articles of capitulation. Objection was make to the parole of the militia. Strachan then requested to be taken to Dearborn. Shortly afterwards Dearborn came on shore. Strachan placed in his hands the signed articles of capitulation. Dearborn read them in silence. Strachan asked if he would parole the militia. Dearborn acted "with great harshness," and complained that a false return of officers had been given. He desired Strachan to keep away and not follow him, that he had business of more importance to attend to. Never was the known indomitable firmness of bishop Strachan more affirmatively shewn. He went direct to commodore Chauncey and spoke plainly of the matter. He declared that if the capitulation was not immediately signed they would not receive it, that the delay was a deception calculated to give the riflemen time to plunder the town, and that after the place had been robbed, they would perhaps sign the capitulation, and affirm private property had been respected. Those acting for the town were determined that this should not be

the case, that the invaders should not have the power to make this assertion. He then, to use his own words, "broke away." Dearborn soon after, hearing what had taken place, settled the matter amicably. The militia were paroled; the sick and wounded cared for, and the capitulation received his sanction as commanding officer.

But the woes of York were not quite ended. The United States troops in possession of the town burned the public buildings, which consisted of two halls; with offices, for the meeting of the legislature, and the courts of justice. The church was robbed of its plate. The library was totally consumed with its volumes and records; many were pillaged. Commodore Chauncey was so indignant at the outrage, that he did his best to collect the books, and sent back two boxes of them. There was much plunder of private property. Many of the houses were so injured as to be left in ruins. One of the stories current, carried to the United States by the invaders, was that a human scalp was hung as a trophy over the chair of the speaker of the legislature. What was found was a wig, then officially worn, nevertheless it was borne in triumph to be displayed to Mr. Madison.*

Among the spoils was a small brig, "The Duke of Gloucester," not seaworthy without much outlay, and a large quantity of naval stores and provisions which it had not been possible to destroy. Fortunately for the British, the "Prince Regent" brig had a few days previously left the harbour. There was no attempt to pursue Sheaffe. The United States troops remained in Toronto for a couple of days, and by the 1st of May the place was entirely evacuated. A schooner was despatched to Niagara to acquaint the officer in command with the success of the expedition, and that Dearborn was immediately proceeding with the troops to Four Mile Creek, near fort Niagara. Owing to

* See also Bishop Strachan's letter, 30th of January, 1815, addressed to Thomas Jefferson, Esq., of Monticello, ex-president of the United States. It is contained in the Report of the Loyal and Patriotic Society of Upper Canada, Montreal, 1817.

contrary winds the ships did not leave the harbour until the 8th; they arrived at Niagara the same afternoon. The troops were landed, and Chauncey, with the wounded men, sailed for Sackett's harbour to obtain reinforcements.

The reported losses of the United States expedition in the action were 14 killed and 32 wounded; in the squadron 3 killed and 11 wounded. The loss of the British was 2 officers killed, captains McNeal and D. Maclean, clerk of the house of assembly, a volunteer, 5 sergeants, 53 rank and file and 3 gunners; 1 officer, 4 sergeants, 31 rank and file wounded; 1 officer, 4 sergeants, 48 rank and file missing and wounded, 7 rank and file missing. No detail is given of the militia.

Much blame has been cast upon Sheaffe for his conduct on this occasion. Although resident in York during the previous autumn, and he had assembled the legislature at the end of February, no precautions of any kind had been taken by him to guard against attack. With the known superiority of the United States on lake Ontario, its possibility must have been recognized in many an anxious moment. The disposition of the troops on the day of the action was made with little judgment, and, as we to-day read, with no chance of success. Forty Indians only in the first instance opposed the landing. The attempt to check the advance of the large invading force constantly increasing until it reached 1,800 men, by the companies of the 8th and the Newfoundland regiment and some 200 militia, in the whole some 430 men, required the presence of an able, determined leader, possessing the confidence of his troops, with the prestige of past success, and ready to sacrifice himself. Without artillery to beat off the shipping, and with an irresolute commander, the consequence might have been foreseen. To add to the mischance, McNeal, in command of the 8th, was killed, an event which must have caused great discouragement. The loss of those engaged is a proof of the tenacity with which the advance was disputed. Sheaffe does not represent that he was himself on the ground where the action took place. It is probable that he remained in the rear awaiting the result.

We only hear of him after the explosion, when met by Dr. Strachan in the ravine, with the troops withdrawn to this spot for their protection, and he had resolved on the abandonment of the town.

His own despatch furnishes little explanation of his proceedings. He, however, mentions the explosion on the battery from which the place became no longer tenable. His conduct on the occasion created a strong feeling against him, so much so that he was shortly afterwards displaced from his command. In June Prevost reported that as Sheaffe had lost the confidence of the people of Upper Canada, he had removed him to Montreal, and substituted de Rottenburg in his place.* Sheaffe, seeing the false position in which he was placed by this transfer, obtained a letter from the resident members of the executive council of Upper Canada, in which they offer him their congratulations on the mode in which he had performed the duties of his position. A copy of this certificate, for such in reality it was, he enclosed to lord Bathurst with his report on the capture of York, adding that de Rottenburg had been ordered up to the upper provinces, and, being his senior, would take command, he being transferred to Montreal. De Rottenburg assumed command in Upper Canada on the 19th of June.†

The United States reinforcements to fort Niagara from Sackett's harbour were forwarded uninterruptedly for the next fortnight until the 25th, when Chauncey himself arrived in the "Madison" with 350 artillery, and several pieces of heavy ordnance, for the attack of fort George. Two armed schooners, the "Pert" and "Fair American," were left to watch Kingston, but it was well known to Chauncey that the two vessels afloat there could not leave the harbour for want of seamen to man them.

There were present at Niagara three brigades of infantry under generals Boyd, Winder, and Chandler, a strong force of artillery, a corps of reserve under McCourt, and 250 dragoons.

* [Can. Arch., Q. 122, p. 41; Prevost to Bathurst.]

† Can. Arch., Q. 122, pp. 148, 159, 161, 163.

There could have been little short of 7,000 troops independent of the marines and the crews of the vessels.

The British force on the Niagara frontier, extending from fort Erie to fort George, amounted to 1,800 regulars and 500 militia under the command of major-general Vincent. The general at that date was 48 years of age, and had served for 32 years, much of the time actively engaged. Of this force 1,000 rank and file were stationed at fort George. They consisted of the 49th, 5 companies of the 8th, some companies of the Glengarry and Newfoundland regiment, with a small detachment of the royal artillery, and some men of the 41st, instructed as gunners. There were present likewise 300 Canadian militia and 40 Indians. Four of the 24-pdrs. brought from Detroit were mounted on the bastions. About half a mile below the town a battery had been thrown up with a 24-pdr. There was a scarcity of ammunition in fort George which led to its being husbanded, so on the night of the 26th of May Chauncey was able unmolested to take soundings and buoy the channel, to enable him to place his vessels in position for the attack.

By four o'clock on the morning of the 27th of May the troops had been embarked in flat-bottomed boats. Dearborn and Lewis went on board the "Madison," from which they could direct the operations. The three generals were with their brigades. At daylight the fleet of 16 vessels covering the boats that conveyed the troops was seen advancing to the light-house on Mississaga point. At the same time a heavy fire was opened from fort Niagara, and answered from fort George, but a heavy fog which arose led to its discontinuance. As the 24-pdr. battery at the point was proving troublesome, two schooners attacked it. The remaining vessels were placed to cover the landing, and to command the plain and woods, as the quarter where opposition was looked for. When the fog had dispersed, the United States boats were directed in three lines towards One Mile Creek, some half a mile south of fort George. A 9-pdr. gun had been here established. For a time it was well served, and inflicted

damage on the boats in their first attempt to land. But the battery could not be held and was abandoned, most of the men about it being killed or wounded. About 200 of the Glengarry and Newfoundland regiments, under captain Winter, with a party of Indians, had been stationed at this point. For a short time their fire proved effectual, but they were driven from their position by the guns of the shipping which enfiladed them, and they were forced to fall back upon the left column.

Vincent had marched his men out of the fort, leaving behind for its defence 50 of the 49th and 80 of the militia. The right column he had stationed between the fort and the town, under the command of the deputy-adjutant-general, lieutenant-colonel Harvey. It consisted of 450 of the 49th, and 150 of the militia. The left column, under the command of colonel Myers, the deputy quarter-master-general, consisted of 320 of the 8th and 150 militia ; it was protected by some light field pieces. These 1,070 men constituted the entire force of Vincent available for defence.

The 24-pdr. had been silenced. Attacked by two schooners in front and enfiladed by a third, north of the light-house, it had been spiked and abandoned.

As the Newfoundland and Glengarry corps retreated upon the main body, Myers advanced with his division. By this time Boyd's brigade, under the fire of the shipping, 1,800 men strong, supported by artillery, had landed. At first, as they attempted to ascend the bank, they were driven back. The brigades of Winder and Chandler rapidly followed, while the guns from the shipping did great execution. Colonel Myers had fallen with several severe wounds. His place was taken by Harvey, who left his column under the command of Plenderleath, with orders to move forward. Myers' column had by this time greatly suffered. Of the 8th, colonel Ogilvie, 6 officers, 198 privates had been killed or wounded, leaving intact only one-third of its strength ; of the militia 80 had been killed or wounded, upwards of half the number on the ground.

As Plenderleath advanced with his column he met the division under Harvey in retreat, and the whole force drew up on the plain. The main body of the United States troops advanced steadily in two columns, having artillery on the flanks and centre. Vincent, judging correctly that it was impossible with the small body of men under his command to contend against a force, which numbered almost thousands to his hundreds, determined by a retreat to save those that remained. He despatched orders to lieutenant-colonel Bisshopp at fort Erie, and to major Ormsby at Chippewa, to evacuate their posts, and with their outlying detachments find their way by Lundy's Lane to the Beaver dams, some 16 miles distant from fort George. At that place he would join them with the garrison. Orders were given for the abandonment of fort George, the guns to be spiked, and the ammunition to be destroyed.

With his column unmolested, he retreated by the road parallel to the river Niagara, to Saint David's at the foot of the height, and followed the line of road to the Beaver dams. From this point Burlington heights could be easily gained. The importance of the Beaver dams, as a rallying point for the forces on the line of the Niagara, had already been foreseen, and a depot of provisions and ammunition had been there established, for the hour of emergency. With perfect order, Vincent marched his force to this spot, and arrived at eight in the morning.

The fifty men of the 49th left in fort George became prisoners. It has been said that they mistook the United States troops for the Glengarry regiment, the uniform being much the same. The circumstance of their failure to join the main body has not been explained; the probability is that the fort was entered, and they were overpowered before they could complete the duty of destroying the ammunition, and spiking the guns. They were the only unwounded prisoners taken.

General Dearborn, in his despatch to his government, reports, that the light troops pursued for several miles; it was a harmless effort. The great body of his force, he describes, as too

much exhausted for pursuit. The action had lasted between three and four hours. Dearborn reported his loss at 17 killed and 45 wounded. The statement is incorrect. The loss was subsequently given at 39 killed and 111 wounded. Total 150.

The loss of the British was severe; 3 officers, 1 sergeant, 48 rank and file killed; 11 officers, 4 sergeants, 29 rank and file wounded; 1 officer, 13 sergeants, 248 wounded and missing. Of the militia 85 were killed and wounded, making the total loss 443. This number includes both prisoners and missing; but a large number of the latter found their way to the camp.

The United States forces were now in possession of the Niagara frontier from lake Ontario to lake Erie. The most important consequence of this success was, that fort Erie ceased to threaten with its guns the United States shore. So long as it was held by the British, the vessels were to a great extent blockaded at Black Rock, and Buffalo. They could not leave to sail on the waters of lake Erie, without exposure to the fire from the fort. They were now freed from this danger. When Perry had organised his fleet at Presqu'ile and was ready for active operations, the vessels from Buffalo leisurely sailed out to join him, and added considerably to his strength, in the action of the 10th of September, when Barclay was defeated.

Holding now both banks of the Niagara, the United States generals made their power felt. Experience had taught them, that they had nothing to hope from the sympathy, or sentiment of the population. They might gain the service of a few spies, and be joined in rare cases by men, whose feeling, during the time they had sought a home in Canada, had remained hostile to its government and its institutions. But the United States authorities now understood that these instances were exceptions, and that they could only look for the hostility that always is entertained by a proud people against the invader of their soil. In the district held by them, if they could not lead the population to be their friends, they could suppress them as enemies. Parties were

organized under officers to visit every farm house, and every building capable of giving shelter. No man, no boy whatever his age, escaped their iron hand. They exacted from every male a parole not to serve in the war. The least hesitation was followed by the threat, that those who declined to give this assurance would be sent across the river, and be imprisoned. Already, reports had reached Canada of the hard treatment prisoners of war were receiving. Of such names 507 were obtained and forwarded to the secretary of war, to swell the list of paroled prisoners of war.

Vincent's force, increased by the detachments from fort Erie and Chippewa, by two companies of the 8th, and by a small body of seamen of the royal navy, under captain Barclay, on the following morning marched to Burlington heights. The ground that he occupied embraced much of the western part of the present cemetery, and included Harvey park, also a portion of Dundurn park, the residence of senator McInnes. The main road, generally speaking, followed what is now King street easterly, and westwardly to Lock street. At that time, it branched off to the north-west, and was the road followed to York (Toronto). It passed through the ground on which Dundurn house is built, till it reached the height overlooking the bay, whence it continued on the high ground for some distance along the side of the lake. This road, which formed the eastern boundary of the camp, was within a short distance south of the present entrance to Dundurn. The western line was traced on the summit of the height in the cemetery, and was continued to the crown of the descent to the bay. Some earthworks, interlaced with fallen trees, are still traceable. The position was admirably chosen. It was in connection with the bay which it commanded, where there was good anchorage. Its situation on the height, not easily ascended, rendered it perfectly defensible with a sufficient force. To the east it commanded the land to some extent cleared, where the main streets of Hamilton are now to be found. Vincent here established himself to await orders from Quebec.



CHAPTER IV.

It is an act of justice to Prevost to record, that in plain language he represented to the British government the fallacy of the expectation, that the United States would be led by any spirit of conciliation to discontinue their hostile operations. It is curious to-day to read the opinions on this point. Hull had written but a few days before his surrender, that the force under his command was superior to anything that could be opposed to it. He looked upon the conquest of Canada, as the result of his mere appearance. The militia were described as rapidly abandoning the British cause, deserters from fort Malden seeking United States protection. Brock's civil difficulties were represented to be as great as his military embarrassments, for he had to deal with a people better disposed to his enemies, than to himself. Jefferson wrote "that the acquisition of Canada this year as far as the neighbourhood of Quebec, will be a mere matter of marching, and will give us experience for the attack of Halifax the next, and final expulsion of England from the American continent." Dearborn wrote "at all events we must calculate on possessing Upper Canada before winter sets in."

Madison, himself, had been forced by his supporters to undertake the war in expectation of effecting the conquest of British North America, regarded by Washington politicians, as perfectly easy of attainment. These opinions, everywhere repeated, are not simply to be regarded as examples of the vanity of human wishes, but as the very depth of human folly.

Prevost had, moreover, early in 1813 drawn the attention of lord Bathurst to the necessity of sending out aid to Canada, so sparingly given in 1812. At the close of the campaign of 1812 in November, Prevost wrote, that his

several communications must long have shewn, that the conduct of the president did not correspond with the expectation that the repeal of the orders-in-council would cause hostility to cease. It had in no way tended to check the progress of the invasion. It would certainly be a matter of deep regret, if, owing to reliance on the good faith of the United States, the help so indispensable to the defence of Canada was withheld. Under such circumstances the contest could not long continue ; the invading force could be increased to an almost unlimited extent. Troops were needed for the sorely menaced provinces, and he was satisfied that when the pressing exigencies under which the country laboured had passed away, greater consideration would be given to the limited means available in the province for its defence. The activity shewn on lakes Ontario and Erie by the United States was pointed out, and the necessity was enforced of naval officers and seamen being sent from home. Constantly he brought before the British government the necessity of retaining the superiority of the lakes, for without it Upper Canada was exposed to devastation. In this respect no censure can be passed on Prevost. With his pen he was ready and bold. It was in the field he was without moral courage, irresolute, ever shrinking from responsibility. Prevost's personal courage has not been questioned. His defect lay in not possessing the broad comprehensive view, which can conceive a bold and vigorous policy, and will not shrink from carrying it into execution, however threatening the aspect it may present.

On the opening of the navigation, a party of naval officers and seamen arrived at Quebec. They were under the command of sir James Lucas Yeo. He was of a good Hampshire family, and, as in those days, had entered the navy very young, for he was a lieutenant at fifteen. This rank he had attained by merit, having attracted the notice of sir John Duckworth, for he was without political influence. He was in his thirty-first year, but his career had been most brilliant, and he had been promoted for special service. He remains the

exceptional case, as being the only protestant who received the order of Saint Benito d'Avis. What his services were in Canada it will be my duty to narrate. He died at an early age, before gaining his thirty-seventh year, on a return voyage from Africa. His remains, brought to England, lie in the cemetery attached to the garrison chapel at Portsmouth.

On Yeo's arrival at Kingston he energetically devoted himself to the equipment of vessels for lake Ontario. About 500 sailors had accompanied him. With full determination to admit of no delay, Yeo so energetically pushed on his organization, that he was ready for service when the lake navigation permitted his vessels to leave harbour. They consisted of the "Wolfe," 20, Yeo's flag ship; the "Royal George," 20; "Moira," 16; "Melville," brig, 16; the armed schooner "Netley," and some smaller vessels.

At this date Prevost was at Kingston. From whomsoever the project originated, an attack was resolved on Sackett's harbour. Chauncey's fleet was absent at Niagara, and the bulk of the troops were before fort George. On the very day the attack was made on fort George, the 27th of May, the ships left Kingston. The troops on board numbered about 750 rank and file. They consisted of the grenadier company of the 100th, a detachment of the Royal Scots, two companies of the 8th, 4 companies of the 104th, one company of the Glengarry regiment, two companies of the Voltigeurs, a detachment of the Newfoundland regiment and two 6-pdrs. It was the earliest season of summer, the weather remarkably fine. Sackett's harbour was reached at noon.

Prevost, in command of the expedition, was on the "Wolfe" with Yeo. It must be remembered that Yeo had been but five weeks in Canada, and that Prevost was the governor-general, and commander-in-chief. The "Wolfe," the commandant's ship, sailed in to reconnoitre the position. As there was no sign of resistance to a landing being made, the men were placed in the boats, and the points of embarkation determined. When all was ready for operations to commence, owing to some inexplicable cause the men were ordered to

re-embark, and the fleet stood towards Kingston. The feeling of surprise was great throughout the fleet, the movement being so contrary to expectation. Discipline, however, caused its passive acceptance ; many even thought that some ruse was designed.

The Indians, about 40 in number, who in their canoes had accompanied the expedition, were greatly dissatisfied that no attack was to be made. They paddled towards the shore, and discovering a party of troops on the point of landing, prepared to intercept them. As this body of men perceived that the Indians were approaching with hostile intent, they hoisted a white flag. Dobbs, the lieutenant of the "Wolfe," was sent on shore with the ship's boats, to learn the meaning of its display. He found that the party consisted of 70 dismounted dragoons in 12 *bateaux*. To avoid a contest with the Indians in connection with the greater force, they surrendered claiming protection. They were brought as prisoners to the "Wolfe" with their craft.

No explanation has been given for the postponement of the attack. No mention is indeed made in the official despatch that the ships arrived before Sackett's harbour on the 27th. Prevost, although present in chief command, did not himself write his own despatch. Doubtless, owing to the failure of the expedition, he deputed the duty to colonel Baynes, as if all responsibility had rested with him. Baynes begins the account of the attack on the night of the 28th. It is, nevertheless, an authenticated fact that the fleet left Kingston on the 27th, and that it hung about the place the whole of the 28th. It was only on the morning of the 29th, an hour after midnight, that the boats left the ships.

The irresolution of the British commander had worked its effect. On the 27th, there was present only the small garrison left behind by Chauncey. The delay allowed the alarm to be given, and the militia of the neighbourhood to be summoned to the defence. On the western point of the harbour stood fort Tomkins, a block-house two stories high, surrounded by picketting with embrasures. In the neigh-

bourhood large barracks had been constructed. The village, consisting of 70 houses or so, extended from the fort along the western side of the harbour, and thence continued on its southern line. About 900 yards distant, fort Pike, protected by a ditch, had been constructed.

The intention was that the boats should remain stationary until daybreak, and then effect a landing, but a strong current caused the boats to drift. The night was dark, and it was only at dawn they reached the spot designated: a cove formed by Horse island, some 2,000 yards from the forts, connected with the main land by a narrow causeway in many places under water, and not more than four feet wide. On the boats arriving at this spot, the ground was found to be occupied in force; consequently, the landing was effected on the west of the island, in face of some troops with a field-piece in the woods, while the causeway was occupied by a strong detachment with a 6-pdr. The position was carried, and the gun taken by the grenadiers of the 100th regiment. A heavy fire was sustained from the woods, through which two diverging paths were open to a forward movement. Colonel Young, of the 8th, with half of the detachment, took the path to the left. Major Drummond, of the 104th, marched to the right, on a line which passed through ground more open and less occupied. The right path was more obstinately contested. For a time the gun-boats protected the advance. On their ceasing to fire, a bayonet charge was made in which both divisions joined. The charge produced "the flight of hundreds," such is the language of colonel Baynes. The regular force was also routed. General Baccus was killed and the troops retreated to the stockaded barracks and fort. These places were now resolutely assailed, and, it is conceded, with every prospect of success. The United States commander looked upon the situation as so desperate, that lieutenant Chauncey set on fire the naval barrack, the prize schooner taken at Toronto, the "Duke of Gloucester" and the ship "General Pyke;" also the naval stores and provisions, which subsequently it was not possible to save.

At this crisis sir George Prevost ordered a retreat. The explanation given is, that he conceived a movement in the woods, which had been observed, was to cut off the British troops from their boats. When the order was given, the attack had been thoroughly successful. Colonel Baynes's explanation is that the block-house and battery could not have been carried by assault, nor reduced by field-pieces, and that the fire of the gun-boats had proved inefficient. Moreover, the vessels were at a great distance, and "no object within our reach was attainable." Surely heavy guns could have been brought up from the ships, and the place battered down. The embarkation took place in perfect order; not a single soldier was to be seen outside the limit of the fortress; a fact which shews the subdued condition of the garrison. We learn how every man performed his duty. Colonel Young, major Drummond, and major Evans are especially mentioned, also Moodie of the Glengarrys, and Hammot [Amiot] of the Voltigeurs. Yeo himself conducted the landing from the boats, and went forward with the advance; and all this gallantry shewn, to be paralysed by the irresolute, incompetent governor-general! The loss was : killed, 1 officer, 3 sergeants, 44 rank and file; wounded, 12 officers, 7 sergeants, 176 rank and file; wounded and missing, 3 officers, 13 rank and file. Total, 259.

What constitutes a further reproach against the conduct of the expedition is, that the wounded were left on the field uncared for, of whom three were officers.

General Wilkinson, who arrived in Sackett's harbour in August, after the attack, gives the number* brought into action on the 1st of May, of 787 regular troops and 500 volunteers and militia. The reported loss of killed and wounded was 157. The conviction, however, is forced upon the student of the history of these times, that, in order not to depress public sentiment regarding the war, the losses were seldom fairly stated, the rule being to misrepresent them. Of the success of the expedition Wilkinson tells us, that after the

* [Memoir, Vol. I., p. 582.]

troops had given way they threw themselves into "the open log barrack." Within 15 yards of it captain Gray fell, "where," he adds, "the finger of heaven was displayed in our protection, for however resolute the conduct of our recruits, they were nearly exhausted, and were outnumbered, and if the enemy had persevered twenty minutes longer the sloop of war, the "General Pike," and our depot at Sackett's harbour would have fallen into their hands."* So soon as it was understood the retreat was taking place, the fire in the ships was extinguished, and they were saved; but the stores were burned.

The failure of this expedition was the cause of much that was disastrous. The capture of Sackett's harbour, with the destruction of the barracks and docks, would have demolished the one harbour in lake Ontario, where the United States fleet could have taken refuge. A naval action would have ensued, for Yeo would have forced Chauncey to fight, when the "Pike" would have been added to the British squadron. Even had it been burned, its loss would have reduced the United States fleet by one ship. What the result of a naval action would have been, under these changed circumstances, may be estimated by the subsequent events upon lake Ontario, which justify the belief in Yeo's success. If the defeat of Chauncey be conceded, seamen and guns could have been transferred to lake Erie to augment the naval force of Barclay. There would not have been the calamity of that gallant officer sailing forth to fight with his imperfectly manned vessels, for Amherstburg would have been revictualled, and the necessity of that operation was the cause of Barclay's attempted destruction of the United States fleet. We should then have

* Wilkinson adds in a note Vol. I., p. 585. "I have understood from good authority, that Sir George Prevost, who was in the rear, ordered the retreat, when Lieutenant-Colonel Drummond, of the 104th, who was afterwards killed at Fort Erie, stepped up to him and observed, 'Allow me a few minutes, sir, and I will put you in possession of the place,' to which Sir George replied, 'Obey your orders, sir, and learn the first duty of a soldier.' Sir James Yeo was also averse to the retreat, and the occasion gave rise to the animosity which afterwards existed between those officers, and drew on Sir George the contempt of the army."

been spared the disgrace of Procter's disreputable defeat, one of the most painful passages of Canadian military history. Both this deplorable event, and Barclay's disaster, which cannot be mentioned as a reproach against that gallant sailor, would not be on record, and both are attributable to Prevost's want of conduct at Sackett's harbour. It was he who must be held responsible for this painful episode of failure.*

Vincent had succeeded in establishing himself at Burlington heights, but he was still in great peril. He was within forty miles of fort George, held by a powerful United States force, having its base of supply at fort Niagara. The capture of Toronto had determined the superiority on lake Ontario of the United States marine. Although Vincent was aware that Yeo had arrived at Kingston, the force, officers, and men remained in want of many necessaries. They had been compelled to leave at fort George much that was indispensable, or to destroy it. They were without means to move their field-pieces, should the enemy advance in such force as to make the risk of a battle too great to be encountered; and in the event of a general action, there was no provision to carry off their wounded. Moreover, there were but 90 rounds of ammunition to each gun.

Dearborn saw the necessity of losing no time in driving Vincent from his position, although he shewed no energy in carrying out his purpose. Fort George had been evacuated on the 27th of May. It was not until the 1st of June that the force organized by Dearborn left Niagara. It consisted of two brigades of infantry under brigadier-generals Chandler and Winder, with a force of dragoons under colonel Burn, accompanied by eight or nine field-pieces, some of them being heavy guns. The force advanced unopposed to within

* Baynes' despatch reads as if a victory had been gained. "But one sentiment of regret and mortification prevailed, on being obliged to quit a beaten enemy, whom a small band of British soldiers had driven before them for three hours, through a country abounding in strong positions of defence, but not offering a single spot of cleared ground favorable for the operations of disciplined troops, without having fully accomplished the duty we were ordered to perform." [James, Vol. I., p. 415.]

seven miles of the British camp, at a place known as Stoney Creek. It consisted of the 5th, 13th, 14th, 16th, 22nd and 23rd regular regiments, with artillery, certainly not less than 3,500 men, as estimated by Vincent. The probability is they exceeded this number. The creek remains in summer a small stream, which descends from the high land by a fall of 120 feet, and finds its way to the north by two branches that unite before their discharge into lake Ontario. Around their quiet waters, some settlers had been established in what is now the third concession of Saltfleet. A church of plain and modest structure had been built by the early U. E. settlers during the years previous to the war. On the Sunday it was the centre where the scattered surrounding population met. The clearings in the neighbourhood of the creek, and a natural open spot with the flow of water, pointed out the site as one for an encampment; moreover it possessed the natural features of a perfectly defensible position.*

* The ground, on which the action of Stoney Creek was fought, has but little changed in the eighty-two years which have passed since that memorable event. As we stand upon the spot the whole scene comes before us in imagination, under the circumstances which have made it famous. The main change is the position of the road over which the electric railway passes to the village of Stoney Creek, some half-a-mile to the east, that village being situate to the south of the Grand Trunk railway some two miles. The travelled road at the time of the action was located about three hundred yards to the north.

Gage's house, occupied during the action by the United States generals, still remains in good repair, but in an altered condition. In June, 1813, it consisted of one story, strongly built of stone. The second story and the western addition were built by a colonel Nelson some years back. The road then passed to the south of the house, having left the main road some one hundred rods or so, to the west. Opposite to the house stood Gage's store, then the only place of the kind, west of Niagara. This old wooden building still remains, but in an extremely dilapidated condition. It has been removed to the west of the house and was used as a barn; it is now almost a ruin. There is little trace of the creek as it flowed with its clear stream of water. Its course, however, is plainly discernible. The name of "Stoney Creek" was not given on account of its pebbly bed, but, according to Miss FitzGibbon, from one Edmund Stoney, referred to in the records of the locality, as one of the early settlers. The old church has long disappeared, while the cemetery of that day has been much extended.

An examination of the position shews how well it was chosen, and, at the same time establishes the desperate character of Harvey's attack. On the north

The advance of this force could not be kept a secret from Vincent, especially as it was not until the 5th of June that they reached this spot. A picket of the 49th under lieutenant Crowther stationed at Red hill, half a mile to the east of the encampment, learned the presence of the United States force, and reported that it was advancing from Forty Mile Creek; Grimsby. On receiving this intelligence, lieutenant-colonel Harvey moved forward with a detachment of the 8th and 49th regiments numbering 424 men to ascertain the position of the invading force. On Harvey obtaining positive information of its strength and its establishment in position at Stoney Creek, he reported it to Vincent with the proposal for a night attack.* Vincent accepted this view. His own position was strong, it is true; but to make a successful stand, it required a larger force than he possessed

of the present road the elevation stands, on which the guns dominated the approach: the spot, evidently, where the struggle on the right of the United States position took place. Many human remains have been found, with old buttons, and belt plates of the 8th or King's, and of the 49th regiment, as well as those of the artillery of both services. On the left of the position, in the neighbourhood of the Gage house, there is a similar elevation, on which artillery was also placed. The ground in the centre is of a lower level, rolling and irregular. The whole position suggests that with outposts thrown out, and with watchfulness, surprise was scarcely possible. Indeed, as the situation is examined, it seems marvellous that so large a force so well supplied, in numbers five fold of those of its assailants, should have suffered defeat by the relatively small body of men, forming the attacking columns.

The identification of the site is undoubted, and I believe is without dispute. It is seven miles from the position of Burlington heights.

* There are stories of Harvey having borrowed the dress of a Quaker, and having entered, with his waggon, the United States camp to sell potatoes. By this means he obtained a full knowledge of the position. Harvey was a man of commanding stature and dignified manners, so that any such an attempt would only have brought ruin on himself. FitzGibbon, of the 49th, is also said to have disguised himself as a settler, and to have offered butter for sale. The story continues that he volunteered much "valuable" information with regard to Vincent's position. At the same time he gained all the knowledge of the situation he himself desired. There is no authority for these statements, although we have even been told where FitzGibbon purchased his butter. They are not mentioned either by Vincent or Harvey in their letters. It may indeed be said, there could have been little time to make the attempt. The probability is that Harvey received information from loyalists in the neighbourhood who knew the spot and gave him the local descriptions he required.

well provisioned with guns and unlimited ammunition. But Vincent's force was small, and was ill-provided in all respects, consequently he accepted Harvey's proposition. It was the acceptance of desperation. At half-past eleven, the force started from the British camp to join Harvey's detachment. The road it followed was approximately what is now York street and Main street in the present city of Hamilton. The column when organized consisted of the 8th and the 49th, numbering 704 fire locks. As Harvey had offered to lead the attack, Vincent placed its whole conduct in his hands, but he himself accompanied the expedition.

The night of the 5th of June was exceedingly dark. The column left Burlington heights at half-past eleven. Harvey, with Vincent's consent, assumed charge of the expedition. He marched "in perfect order and in silence," these are Harvey's words. About two o'clock they reached the United States position, where the troops were most advantageously posted, in strong force on a small eminence to the right of the road. Their artillery on a height commanding the approach, with about 500 men, were thrown forward in its support. Harvey must have been well acquainted with the situation, for there was no hesitation in the attack. Rushing upon the sentries, the British bayoneted them in the quietest manner before the alarm could be given. The surprise was complete; the British troops with fixed bayonets rushed into the centre of the camp. The 49th, led by major Plenderleath, under a heavy fire carried the battery, which, on the alarm being given, was manned and discharged. One artilleryman was bayoneted in the act of discharging his gun. Some United States troops placed in support fired a volley, then turned their backs and fled. The discharge was not without effect. Plenderleath was wounded and his horse shot under him. Soon after, sergeant Fraser of the 49th, having taken general Winder prisoner, brought him to Plenderleath. He accordingly mounted Winder's horse, but the poor brute was almost immediately shot. Brigadier-general Chandler was also taken under one of the guns, suffering from a contusion.

On the left flank of the United States troops, major Ogilvie had led forward the five companies of the 8th, and had driven the troops to flight in confusion. They retreated up the mountain side, where they partially formed, and fired upon the British; but a flank movement on the part of Harvey, on the right of their formation, again dispersed them.

It is related, that in order to make the surprise certain, before the march commenced the flints were removed from every musket, so that no chance shot would awaken vigilance, and the hopes of success be rendered nugatory. The story is told as a recollection of one who was present. That such was the case is not impossible. But there is no official confirmation of the fact, either by Harvey, or Vincent, nor can I find any reliable authority for it. Harvey himself speaks of a few muskets having been discharged, notwithstanding every exertion to check firing.* Harvey, as he led the men forward on their dangerous duty, may have earnestly impressed upon those who followed him, that they had to trust to the bayonet alone. There are also circumstances which contradict the statement. We are told that when the men were ordered to replace flints, they were in the United States camp, and the adjustment was made by the light of the camp fires; that standing out in strong relief by the reflection upon them, the men became a visible target for the troops, who had ascended the height, and many fell from the musketry fire. We must remember that the action took place on the 5th of June, a season of the year when fires for warmth did not require to be kept up at night, and that after two in the morning, the hour when the attack was made, the fires are generally low. The action, Vincent tells us, was over before daylight. We can learn from any almanac that the sun rises in June about a quarter to four, and the glimmer in the east, the dawn, precedes it half an hour. The action, therefore, could only have lasted between an hour and a half

* Canadian Archives, C. 679, p. 39. In my humble view the tradition must be rejected.

and two hours, from its commencement to its close. We learn from Harvey the attack was over in three-quarters of an hour. This description does not suggest the truth of the tradition. Vincent, in his report of the action to sir George Prevost, says, "Not conceiving it prudent to expose our small force to the view of the enemy who, though routed and dispersed, was still formidable as to numbers and position, he having fled to the surrounding heights, and having still four or five guns, the troops were put in motion at day-break and marched back to their cantonments." *

The night was dark, and it was Harvey's policy to retreat before the smallness of his force became apparent. As light was coming on, the British withdrew, carrying with them three guns, one brass howitzer and three tumbrils, with the two brigadiers, Chandler and Winder, and upwards of 100 officers, non-commissioned officers and rank and file as prisoners. The loss of the British was : killed, 1 officer, 3 sergeants, 19 rank and file ; wounded, 12 officers, 9 sergeants, 115 rank and file ; missing, 3 sergeants, 52 rank and file. Dearborn in his report to the secretary of war claimed a victory, that the enemy had been completely routed and driven back, and that he had taken 60 prisoners of the 49th, but by some strange fatality the two generals were captured. The prisoners reported by Dearborn were men of the 49th, who failed to join the main body when the retreat was ordered, by some cause which remains unexplained ; overpowered by numbers, they had no alternative but to surrender. Dearborn's narrative is that followed by many United States writers to this day.

The truth is, that it was not until it was known that the British had retired after the attack, that the ground was re-occupied, and then for the purpose of destroying the encumbrances such as "blankets, carriages, provisions, spare arms, ammunition, &c." This work effected, the troops made a precipitate retreat to Forty Mile Creek, the spot now known as Grimsby.

* [James, Vol. I., p. 432.]

The United States forces had been accompanied by a flotilla of boats and *bateaux*, in which the wounded had been embarked. These boats were creeping down the coast line when, on the 8th of June, sir James Yeo with his ships appeared in the offing. A breeze sprang up and 12 of the rearmost boats were taken. As the encampment was observed on the lake side, the gun-boats attacked them with their artillery, and major Evans, of the 8th, with two companies, landed to assault them. He found the camp was in flames, but reinforcements having arrived from the heights under colonel Bisshopp, a quantity of the stores was saved: 500 tents, 140 barrels of flour, 100 stand of arms, with ammunition and other property. These reverses to the United States troops, following so rapidly the affair of Stoney Creek, caused a complete panic. Harvey wrote that if the whole division had been at hand, many more prisoners could have been taken with more guns, but he was not aware "any further results could have been rationally hoped for."*

Colonel Evans, such was now his rank, reported that although the movements had not come up to his expectations by the capture of the enemy's cannon, they were productive of the most beneficial results. What essentially was of moment, the spirit of the loyal settlers was completely aroused so that the little remaining baggage of the enemy was destroyed by them. Moreover, reliable information was obtained of the movements of the invaders. On the evening of the 9th of June, the enemy had set on fire and abandoned fort Erie, and had withdrawn the outposts from Chippewa, and Queenston, to concentrate his force at fort George. He had here established himself, and had also begun to throw up field-works to defend himself, or if necessary to admit of his crossing the river.†

Fort Erie remained abandoned during the year 1813 until

* [Harvey to Baynes, Forty Mile Creek, 11th of June, 1813. Can. Arch., C. 679, p. 76.]

† Evans to Harvey, Forty Mile Creek, 10th of June, 1813. Can. Arch., C. 679, p. 80.

the spring of 1814, when it was re-occupied, and placed in a condition of defence by major Buck, by the orders of sir Gordon Drummond. It fell, however, immediately into the possession of the United States, on general Brown crossing the river in force on the 3rd of July, 1814, previous to the action of Street's creek.

The attack of the camp was described also by Yeo. Owing to the calm, his larger vessels could not approach, but the smaller gun-boats succeeded in getting in, and by a well directed fire drove the force into a precipitate retreat, leaving the stores and ammunition to their fate. Sailing to the west on the 13th, Yeo captured two schooners, and some *bateaux* with supplies. Hearing that there was a dépôt at the Genesee river, Yeo sailed for the spot, landed some marines and seamen, and brought off all the government stores he found there, together with a sloop laden with provisions. On the 19th he proceeded to the Great Sodus, landed a party of the 1st Royals, and took off 600 barrels of flour and pork, being supplies collected for fort Niagara.*

Harvey, whose name is mentioned in prominence in this narrative, became pre-eminently distinguished in the annals of that date.† He was born in 1778 and entered the army so young, that in 1794 he carried the regimental colours in action, and served throughout the campaign of that, and the following year. In 1796 he was present at the cape of Good Hope, and from 1787 to 1800 at Ceylon. In 1801 he was in Egypt, under sir David Baird. In 1803 he took part in the Mahratta war. In 1807 he returned to England, his health broken, and was appointed on the staff with the rank of lieutenant-colonel. In 1812 he was appointed deputy adjutant-general in Canada. He did not arrive at Halifax until late in the season, in December. As the navigation was closed

* H.M.S. "Wolfe," Kingston, Canada, 29th of June, 1813, Yeo to Croker. James' Naval History, Appendix, No. 48, p. lxxiii.

† Strange to relate, his name is not included in the national biography, now in course of publication in London, an omission which it is hoped will be remedied.

he made his way to Fredericton, and thence passed by the rough route overland traced through the woods to Canada.

Harvey was the bearer of a letter to sir George Prevost, written, we are told, by the direction of the prince regent, introducing him as an officer who had seen much service. Prevost received him with distinction ; it is said, producing a map and pointing out the great extent of frontier with the small force available for its defence, he asked Harvey his opinion as to the best mode of protecting it. Harvey is said to have unhesitatingly replied, "First by the accurate intelligence of the designs and movements of the enemy, to be procured at any price ; secondly, by a series of bold offensive operations, by which the enemy, however superior in numbers, would himself be thrown on the defensive." It was this principle upon which Harvey acted during his memorable career in Canada.

At the close of the war he returned to England, and served on the staff of the duke of Wellington at Waterloo.

In 1836 he was governor of Prince Edward island. From 1837 to 1841 lieutenant-governor of New Brunswick, whence he proceeded to Newfoundland in 1846, as governor and commander-in-chief. In that year he became lieutenant-governor of Nova Scotia, where he died on the 22nd of March, 1852, in his 74th year.

The principle laid down by Harvey to Prevost was that which dictated the attack of Stoney Creek. It was an occasion when a policy was demanded, the danger of which could not be calculated. Had Vincent waited to be attacked, the probability seems, that want of supplies and of ammunition would have made his surrender unavoidable. His camp, moreover, would have been subjected to a bombardment to make it untenable. The success of this bold and energetic attack was a turning point in the war. It gave confidence to the British soldier, and to the militia who went forward to the battle-field by his side. Toronto had been taken, its public buildings burned, its private dwellings plundered. Fort George had fallen, and there was much to lead to depression

and for hope to sink to nothingness, but the defeat of a force more than five fold that which attacked it, by which it was driven back to seek refuge in fort George, awoke confidence, determination, and self-reliance which were never lost. The character of the war changed from that day.* It will be seen that the British even became the attacking party, and on the Niagara frontier successfully assailed the whole line of the United States territory to Buffalo, in retaliation for the wanton injuries which had been inflicted upon Canada.

Vincent behaved most generously to Harvey, to whom he left the entire direction of the movement. He, however, led the main body from the height to join his detachment. In his despatch he acknowledged his great obligations to his lieutenant, adding that from "the first moment the enemy's approach was known, he watched his movements, and afforded me the earliest information. To him, indeed, I am indebted for the suggestion and plan of operations ; nothing could be more clear than his arrangements, or more completely successful than the result."

There is a story told that on the retreat being ordered Vincent was lost in the bush. If such were the case he was soon found, for Harvey, at his request, early the following morning, sent an account of the action, and Vincent himself wrote his despatch on the same evening. The story may have become current owing to Dearborn, in his short

* Sir James Carmichael Smith in his "Precis of the Wars in Canada," has so characterized the affair at Stoney Creek. Smith was a distinguished engineer officer, sent in 1825 by the great Duke of Wellington to examine into the defences of Canada. The duke was so impressed with his report that he ordered it to be printed in 1826, "for the use and convenience of official people only." In 1862 the work was published for general circulation. Smith was born in 1779, and died governor of Demerara in 1838, after a most distinguished career. He tells us that : "The preservation of the Niagara district and of Kingston may, however, with the strictest justice, be fairly attributed to the attack upon the enemy at Stoney Creek. The nature of the war seems instantly to have changed after that most manly and energetic affair, and the campaign on that frontier terminated in the capture of the American stronghold (Fort Niagara) and the destruction of all those towns and villages, together with the stores, provisions and ordnance they had collected in that part of the country for the further prosecution of the war." [p. 170.]

despatch, having reported Vincent as killed. I cannot find, the least ground for the absurd stories, which have been accepted, and repeated regarding him.

The success in opposing the advance to Burlington heights caused much apprehension, that an attempt would be made by the British to retake fort George in spite of the intrenched camp with its 5,000 troops on the opposite shore. The detachments at Chippewa and fort Erie were called in, and the defence of the position became the first consideration. Much of the baggage was sent across the river. Upper Canada was again freed from the presence of the invader, excepting at this one spot.

Vincent had, also, been reinforced by the 104th, which had marched from Fredericton, New Brunswick, to Quebec the preceding winter. From a short distance north of Fredericton to River du Loup, the 245 miles was a wilderness.

The regiment consisted of 1,000 strong, with 42 officers, under colonel Moodie, whose melancholy death at Montgomery's farm, north of Toronto, on the outbreak of the abortive rebellion in 1837 is still remembered. The march was commenced on the 14th of February. Each man was furnished with a pair of snowshoes, moccasins, and one blanket; a toboggan was given to every two men; it carried the two knapsacks, the two firelocks and accoutrements, the two blankets and 14 days' provisions. One drew the toboggan, the second pushed it from behind. The regiment was divided into sections, one following the other at a day's interval. The bugle sounded two hours before daylight, to give the men time to cook and eat; the detachment marched with the first light. The column travelled until half-past two, when the halt was made for the day.

The rations, 1 lb. of pork, including the bones, with ten ounces of biscuit, were insufficient for men in full manhood, exposed all day to the air, and taking the regular severe exercise of the expedition. It was said afterwards, that the whole regiment continued hungry during the march, and could talk of nothing but the good feeding of the future.

No rum was issued ; the drink was tea. At lake Temiscouata the column was delayed for three days by so severe a snow-storm, and such intensely cold weather that it was considered inadvisable to cross the lake. Captain Rainsfeld, with two men, Patroit and Gay, of the light company, volunteered to undertake the journey to River du Loup, distant 54 miles, to obtain provisions. The men had been reduced to half rations. We can conceive the relish with which the troops after a march of 30 miles, and a fast of 30 hours, came upon a relief with two bags of biscuits, and two tubs of spirits and water.

They crossed the ice at Quebec on the 27th day after leaving Fredericton, and arrived without losing a man ; nor was a man on the sick list. After a rest of two days, they marched out to the seat of war.

Vincent was able at this time to assume to some extent the offensive. I have mentioned the point selected as a depot of provisions previous to the abandonment of fort George, the Beaver dams, about nine and a quarter miles from Saint David's and seven miles north of the road along the lake shore. The road at this point diverges into two branches, one constituted the main road to fort George, the second led to Queenston. Seven miles to the east, on the main road, a diagonal road to the north passed to the house of a settler, de Ceu, from which spot there was a connection with the Beaver dams.* This cross road from the front communicated by de Ceu's house with the Beaver dams, Saint David's, and Queenston. The distance to de Ceu's house was about seven miles from the front. Colonel Bisshopp was detailed in command of the advance post to observe any movement from fort George. Major de Harren of the 104th was placed at the Twelve Mile creek, now Saint Catherine's. Bisshopp himself remained at the point of juncture of the road leading to de Ceu's house, near the present village of Jordan. Lieutenant FitzGibbon, and a picket of the 49th of 30 men, were quartered at de Ceu's house. De Ceu was a captain of militia, and had been one of those seized and

* This word is pronounced with the C hard as *Keu*.

sent to the United States as hostages for the good behaviour of the inhabitants.

About this time a party of the Caughnawaga Indians arrived, under the command of captain Ducharme. They were at once despatched to reconnoitre the neighbourhood of the fort. On one occasion they surprised a party at a tavern, killed four of the number and made seven prisoners ; they had also seized a boat, killing two of its occupants and taking six prisoners. Dearborn, learning the small strength of these parties, and urged by the trouble "they were giving in keeping up the spirit of British loyalty with the inhabitants," determined to dislodge them, and attack simultaneously FitzGibbon at de Ceu's, and de Harren at Twelve Mile creek. There was this difference in the operation. FitzGibbon's position could only be reached on a march of 18 miles, while de Harren's was ten miles distant. Bisshopp was at the point of junction of the roads within 7 miles of both detachments, and in a position to come to the assistance of either, as circumstances exacted.

Lieutenant-colonel Boerstler, who had been prominent in the attack upon the posts near fort Erie, on the 31st of December, was placed in command of the detachment organized for the attack. He had the reputation of being a good and determined officer, and is represented as having been one of those who were loud in their reproaches, of what they held to be Dearborn's inactivity. The march from fort George was delayed until evening. A picket in advance of the main body had proceeded to Queenston, to secure what few male inhabitants remained, who had not been sent across the river, so that intelligence of the proposed movement could not be transmitted to the threatened outposts. Among those who were permitted to remain was Mr. James Secord. He had been an officer in the Lincoln militia, and had been severely wounded in the action of the 13th of October at Queenston, and could only walk with difficulty. As a child he had been carried by his mother through the wilderness, in company with four distressed women, to escape the outrages

of the remorseless revolutionary American adherents. The family was originally French Huguenot, and had found its way to New Jersey. The members of that generation being loyalists lost all they possessed. Some of the brothers went to New Brunswick, others had been driven to seek refuge in Canada. During the war, three or four had enlisted in Butler's rangers. At its conclusion they had settled in the neighbourhood of Newark, as lumbermen and millers. Saint David's, east of Queenston, had been named after David Secord.

Laura Secord, his wife, was the daughter of Charles Ingersoll, of a loyalist family of the highest respectability in the province. She had grown up with the recollection of what her father had suffered. Her devotion to England had become a part of her being ; her case was a common one. There were thousands of such women in Canada, who had often heard what their sires had endured for the cause they had embraced. Moreover, those living near Niagara, during the occupation of fort George by the United States troops, had been subjected to much insolence, and injurious treatment, especially when known to be of royalist U.E. families.

The arrival of Boerstler's large force on the 23rd of June ; its march by night by Saint David's ; and the precaution taken to secure secrecy created the impression that an attack was designed on the post at de Ceu's, commanded by FitzGibbon of the 49th. Secord from his crippled condition was unable to give information. If left uninformed, the party would be lost. In the emergency, his wife undertook to pass through the woods, and warn FitzGibbon of his danger. She was then a woman of thirty-eight, the mother of five children. Those who recollect her, for she lived to be 93, and died only in 1868, describe her as a "fine, tall, strong woman."* One

* FitzGibbon in his certificate to Mrs. Secord, describes her of slight and delicate frame. He wrote, however, "in a moment of much hurry and from memory." Mrs. Curzon in her memoir gives the description which I follow, furnished by a correspondent in Drummondville, where Mrs. Secord was well remembered.

gift she possessed, intrepid courage, which remained undaunted before the dangers she had to encounter, and the physical effort she had to make. The last named would have deterred an ordinary nature from the attempt she contemplated. There had been much rain during the preceding weeks; the roads were deep in mud, with constantly recurring slush holes, and offered a severe tax to strength in ordinary circumstances. In her case there was the danger of meeting the United States marauders, desperate in search of gain and plunder, or the Indians unable to distinguish friend from foe. Her purpose exacted, that to avoid detection she should follow the circuitous and unfrequented paths. She started as dawn began to glimmer, and reaching Saint David's rested for a time at the house of a relative. After walking a distance that she estimated as nineteen miles, she came to a branch of the Twelve Mile Creek, which, be it said, partially furnished a supply to the first Welland canal. It had been greatly increased by the late rains. There was no bridge where she reached its waters, but a tree had been felled across the stream; and knowing the ways of the woods, she made her way across the trunk with more or less ease. When at the opposite bank, she had to scramble up a steep height. She had walked all day; it had now become dark; she knew, however, where she was; it was a field of de Ceu in the neighbourhood of the Beaver dams. She went forward, expecting to meet some of the detachment; but she arrived in an encampment of Indians. As Mrs. Secord approached the camp, the moon was coming up. When her figure was seen, she was greeted with the loud yells which are heard from Indians, when surprised. In after years, she related the dread that the cries called forth. With some difficulty she made the chief understand she had important intelligence to give to the commander, and they must take her to him or all would be lost. Mrs. Secord's journey is not one of the traditional anecdotes with which the history of these times abounds. It is a fact authenticated by the official certificate of FitzGibbon, in itself so well known, and so often published, that it is not

necessary for me to include it in this narrative. After giving her information to FitzGibbon, to whom she was conducted by the Indians, he saw her established at de Ceu's farm where she obtained food and rest.

Mrs. Secord's statement was soon confirmed by the appearance of Indian scouts, who reported the arrival of Boerstler's column at Saint David's, and that in the skirmish with the advance guard one of their party had been killed. Kerr, with his brother-in-law, Brant, was in command of the Indians. They suggested that an ambush should be laid to impede the column on its march. There was no want of caution in Boerstler's advance. He had obtained by force the service of a guide, and was moving directly towards the Beaver dams. A party of mounted riflemen preceded the column ; detached infantry was thrown out on the flanks ; the main body with the artillery and munition waggons followed ; the cavalry brought up the rear. The country through which the detachment was passing was covered with heavy timber traversed by a narrow road, in many parts intersected by ravines. In one of these ravines, which offered facilities for attack, the ambush was laid on the morning of the 24th of June. The advance guard had begun to ascend the western slope, when they received a murderous fire, which proved most destructive. The column, nevertheless, continued to advance ; it was similarly attacked, and thrown into disorder. Any attempt at formation was impossible, owing to the narrowness of the road. Attack followed attack, the foe was unseen ; Boerstler, however, continued to press forward, his guns from time to time discharging grape in the bush. Boerstler's first opinion was that he was being attacked by overpowering force ; accordingly he sent a despatch by a cavalry orderly to fort George, asking for reinforcements. The fire for a time ceased to be vigorous. He therefore determined to persevere in his march without his cavalry and artillery, which he left in his rear under the second in command. He formed his troops in single line to guard against surprise, and moved forward with what rapidity he

was able, when he was again subjected to an incessant fire from the woods. His men were greatly fatigued ; the heat was excessive from the sun of the last days of June, so that Boerstler felt it advisable to order a halt. The musketry fire, however, continued. Boerstler himself received a flesh wound in the thigh, and three of the officers were also *hors de combat*. He had been slightly wounded earlier in the day, but had remained in active command. His second injury was more serious.

About seven o'clock FitzGibbon heard the firing, and, taking with him a cornet of a militia troop, went out to reconnoitre the situation. He found that Boerstler with his force had abandoned the road, and taken up a position in a wheat field. There was little firing when FitzGibbon arrived, the Indians having to creep through the corn to come within range. FitzGibbon sent the cornet back to bring up the small party under his command. As they came upon the ground, he led them forward in open files to convey an exaggerated opinion of their number, and took up a position between Boerstler's force and fort George. He immediately sent a despatch to colonel de Harren, reporting the presence of Boerstler. From the dead he had seen lying on the road, and from the position taken up by Boerstler, FitzGibbon formed the opinion that he was waiting for reinforcements. Indeed, we learn from his own account, that he was so informed. No time was therefore to be lost in the execution of the measures to be taken. Tying a white handkerchief on his sword, he went forward towards Boerstler's force, upon which an United States officer also advanced similarly provided. FitzGibbon briefly explained that with the desire to avoid bloodshed, and from the strength of the detachment brought against Boerstler, he asked the surrender of the force. To this request Boerstler replied, that he was not accustomed to surrender to a force that he had not seen. FitzGibbon answered, if such were Boerstler's feelings, he would ask permission from his commanding officer to allow an United States officer detailed for the duty to inspect the column, in

order that he might judge of the advisability of risking a battle, and awakening the rancour of the Indians.

FitzGibbon retired to obtain the so-called permission. On reaching his small party he found that captain Hall with 20 men of his troop of Chippewa dragoons had joined it. On hearing the firing, Hall had hastened to the ground. He was easily induced to represent the officer in command, and FitzGibbon returned with the officer sent by Boerstler to obtain the reply of the United States commander to the demand of surrender. Boerstler asked until sundown to consider the conditions. To FitzGibbon, this delay meant the arrival of reinforcements. Accordingly, the reply was given that the request could not be granted, from the want of power to control the Indians for that length of time, and an answer was asked for within five minutes.*

In the negotiations for surrender with captain McDowell, who represented Boerstler, the condition was asked that the

* There are no landmarks to shew the precise spot of Boerstler's surrender. The creek on which the Beaver dams at that date were formed, owing to the construction of the Welland canal, can no longer be traced. Nor is there common consent as to the site where the surrender took place. De Ceu's house, however, remains in excellent preservation, although requiring some repairs. Even if constructed in modern times, it would be a noticeable structure. The room occupied by FitzGibbon is still in use by the family owning the property.

The scene of the action is reached from Saint Catharine's by the road ascending southward towards the high land. On reaching the concession line, de Ceu's house is about a quarter of a mile to the west, being $3\frac{1}{2}$ miles from the centre of the town. Half a mile from the house, de Ceu's falls are met. The water of one of the branches passes over a weir, which serves the mill on the northern side of the road. The falls below the mill present one of the most romantic landscapes in Canada, and it is only from their vicinity to the more celebrated falls of Niagara, that they are so little known. A sheet of water some 40 feet wide descends a height of from 70 to 80 feet, in a picturesque, romantic glen. An eighth of a mile lower down, after winding through the narrow valley, enclosed between high rocks covered with trees and verdure, the creek falls a second time the height of 65 feet. Owing to these falls, settlement was commenced at this place, de Ceu's house having been built in 1811. The eastern branch of the creek furnishes the water supply of Saint Catharine's, and is contained within a reservoir of many acres of superficies.

The spot of Boerstler's surrender is generally placed at a mile distance from de Ceu's house, in the township of Thorold, south of the concession line. There

volunteers and militia should return to their homes on parole. FitzGibbon inquired, if the volunteers named were not Chapin and his mounted men. On receiving an affirmative reply, he remarked that Chapin had behaved so outrageously in plundering the houses, and by his insolence of demeanour, that he did not consider him deserving of the consideration granted by the honours of war. Finally he withdrew his objections, and the surrender was agreed upon, FitzGibbon guaranteeing the safety of the men against any attack of the Indians, even to the risk of his own life.

At this time de Harren came up with a colonel of militia, having ridden forward in advance of his detachment. The capitulation was completed. It is due to Boerstler to say, that in the running fight with the Indians he lost 56 men killed and wounded, and that he himself was disabled. The articles of surrender were, that the force should become prisoners of war ; the officers to retain their horses, arms and baggage ; the men to lay down their arms ; the militia and volunteers, with Boerstler, to be permitted to return to the United States on parole. The number surrendered included 25 officers, 519 non-commissioned officers and men, 50 of whom were dragoons with 30 mounted militiamen, one 12-pdr., one 6-pdr., and two ammunition cars. When FitzGibbon

is nothing special to determine the site, and the place pointed out is simply a matter of tradition ; it may be added, in Saint Catharine's universally accepted.

During the excavation for the enlargement of the Welland canal, on the west half of lot 28 Thorold, a few rods south-east of the town, several human remains were disinterred ; doubtless those of Boerstler's force, killed in the running fight of the 24th of June. These remains were reverently buried near the canal, on the eastern half of lot 28. A monument has been placed over them of about 7 feet in height, with the simple inscription, " Beaver Dams, 24th June, 1813." This monument owes its construction to the care and diligence of the " Thorold and Beaver Dams Historical Society." The expense, however, was chiefly borne by Mr. John Brown, the contractor for that section of the canal.

An effort is being made to enclose the monument within an ornamental ground, protected by a railing, and the Dominion Government, to whom the site belongs, has been asked to grant the necessary permission. It is due to the Thorold society to mention, that its members are shewing much laudable energy in the study of the traditions of their neighbourhood ; an example, it is devoutly to be wished, may be followed in other localities.

asked for the surrender he had 46 firelocks and a cornet of dragoons. He was subsequently joined by the captain and 20 troopers of the Chippewa cavalry. Their appearance judiciously introduced, had no little effect on the negotiation. FitzGibbon's reward was his promotion to a company, and the honourable incorporation of his name in the history of the country. At the period he was a lieutenant in the 49th. The action took place on the 24th of June. The number of Indians employed was given by Kerr, who was in command, as 250. The action lasted, according to Boerstler in the letter written from Twenty Mile Creek on the following day, three hours and ten minutes. It would appear by what he then wrote, that he did not accept his parole, but proceeded to Quebec; for he asked to be exchanged as soon as possible.

CHAPTER V.

The surrender of Hull's army at Detroit, for some months gave security to the western district. The British were indisputably masters of lake Erie, and with no great effort on the part of the imperial government, could have remained so. But no naval reinforcements reached Canada until 1813, and those despatched were not to the extent that the exigencies of the time demanded. A truth, that the misfortunes of that year only painfully establish; for the whole question of successfully holding the west was dependent upon the naval superiority of the lakes being retained.

Any advance from the United States directed against Detroit at this date was necessarily by land. The base of such operations was fort Wayne, some 160 miles distant. This fort had been constructed at the head of the portage from the Wabash, 6 miles in length, on a tributary of the Maumee. The distance from the junction with the main stream to lake Erie was about 65 miles. The Maumee being navigable for *bateaux* the advance by land to Detroit was about 85 miles. As fort Wayne was the point from which any expedition against Amherstburg or Detroit would be directed, it was held important to destroy it, with the stores it contained, while possible to do so. In September, 1812, Procter hearing that the place was held by a few hundred men, and defended by some artillery placed in position with little judgment, further, that it was likewise assailed by a large force of Indians, resolved on attempting its capture. He sent forward a detachment under major Muir, with a howitzer and two field-pieces. The troops, 150 of the 41st, and 150 militia, embarked in boats, and coasting lake Erie ascended the river to the Indian village, about 15 miles distant. From the low state of the river at that season, the boats could

not be taken higher, and the ascent by land commenced. The labour of moving the guns was found to be one of extreme difficulty; but the distance was mastered by perseverance, and the detachment approached fort Wayne, with a confident feeling the place would fall to their possession.

An event, however, took place, which shewed the attack was not practicable. On the evening of their arrival, a band of Indian scouts arrived, who brought important information. They had come upon a party of five, seated round a fire cooking their rations. The Indians determined to approach them. As the noise of their movement gave notice of their presence, the men seized their arms and prepared for defence. The Indians, however, came forward, holding up their hands in token of amity. They declared themselves hunters, proceeding to one of their villages, and succeeded in lulling the suspicion of the party. They were then informed that those present were scouts of a force of 2,500 men, on their march to the Miami village, a few miles distant. The Indians suddenly assumed their true character, and called upon the party to surrender and deliver up their arms. They agreed to yield as prisoners, but not to part with their arms. For some distance they marched in silence, when the request was repeated, it was followed by the same refusal. They continued on their route, when, as if accidentally, the Indians who were marching in the flank, dropped in the rear of each prisoner by whose side he was walking. On a given signal the whole were tomahawked. One only slightly wounded attempted to escape, but in vain. The Indians justified the proceeding, as having been compelled to provide for their own safety, and because they believed, the main party had been represented to be farther from them than it actually was.

The consequence of this intelligence led to the abandonment of the expedition. Such boats as had been brought up were ordered the same evening to descend the river. Muir, however, deemed it expedient to await an attack, and took up a position on a height opposite the ford, where it was supposed the United States force might cross. No enemy,

however, appeared. The detachment therefore retired upon the old fort at the mouth of the Glaize, long abandoned and in ruins, and at this point a defensible position was occupied. On the following morning, the scouts brought in a prisoner who confirmed the report of the arrival of reinforcements, under the command of general Winchester. On being informed of the finding of the corpses of the scouts, and not knowing the force in his front, Winchester determined to establish himself where he then was. The news gave confidence to Muir, but his retreat was continued. His march was in no way molested, and he reached lake Erie without the loss of a man, or the abandonment of any guns or stores. The firmness of purpose with which Muir accomplished this march in face of a force so superior, which could have entirely destroyed him, deserves especial record, and its success was entirely owing to the bold course taken by him, and the deliberate and masterly manner in which the march was conducted. The Indian force did not exceed 500 men. On three days, at different periods during the time of the retreat, a halt was made. The troops were formed to cover the guns and stores ; but no attack was experienced. The detachment was absent about three weeks from Amherstburg. The event is scarcely worthy of mention, except as a proof of the bad generalship of Procter in undertaking on insufficient information, an expedition distant from his base, and justified only by good grounds of belief in the certainty of its success. Had it not been for the incompetence of Winchester, and the ability of Muir, the whole column would have been cut off, and it is a matter of good fortune that it escaped this fate. It is one of the many proofs given during Procter's career of his incapacity to direct operations in the field.*

Shortly after this event, Mr. Robert Dickson arrived at Amherstburg, with several canoes of the lake tribe of warriors, a reinforcement which brought up the Indians in the field to

* "Major Richardson's war of 1812, pp. 56-59." Richardson was himself present at the expedition, and places in prominence the conduct of the "gallant major Muir, which should not be lost sight of by the future historian."

3,000 strong. The garrison, however, remained at its strength. The men of the Newfoundland Fencibles were mostly engaged on the vessels to be fitted out, so the posts of Detroit and Amherstburg were held by the 41st alone, some 300 strong, with the militia regiments in both garrisons.

Procter, learning that Winchester had established himself on the Maumee, and had intrenched himself, having given to his position the name of fort Meigs, after the governor of Ohio, sent a picket of 50 men under the command of major Reynolds of the Essex militia, with a 3-pdr. and 200 Indians to Frenchtown, on the river Raisin, some 18 miles south of Amherstburg, to watch his movements. Reynolds remained at his post undisturbed until the 18th of January, 1813, when he was unexpectedly assaulted by a force consisting of 800 men under colonel Lewis, sent forward by Winchester to take the position. Reynolds gallantly endeavoured with his small force to hold his ground. The 3-pdr. was so well handled by bombardier Kitson of the Royal Artillery, the gunners being trained militia, that Lewis for a time was forced to retire from the open ground to the wood. For half an hour his force was held in check by the fusillade, and the 3-pdr., when Reynolds, finding himself pressed by superior numbers, felt that he must retreat. He withdrew his force, without any attempt at pursuit on the part of Lewis, with a loss of one man of the militia killed, and three Indians. Lewis had 12 killed, and 55 wounded.

Winchester, on hearing of Lewis's success in driving back the British picket, and that he was in possession of the ground, advanced with his main force, and joined Lewis on the 20th of January. On learning that the United States force was in occupation of Frenchtown, Procter determined to regain the position, before Winchester could seize and fortify it. On the 19th, leaving but few men at Amherstburg, he started with 500 regulars and militia and 800 Indians under the Wyandot chief Roundhead. The crews of the vessels laid up for the winter served with the artillery, and two companies of the Newfoundland Fencibles were attached

to the force. An eye witness * has described the impression made upon him of the march across the frozen river opposite Amherstburg, four miles broad. The rumbling of the guns on the ice, the wild cries of the Indians, the troops winding through the ice road, the sun reflected on the arms of the men, and the imposing spectacle of the march moving forward as one body, gave a romantic grandeur to the sight which for years clung to his memory.

On the 21st, a halt was made within five miles of Winchester's position, and the troops bivouacked in the open without tents, lying with their feet to the huge camp fires, kept burning all night. Two hours before dawn the troops were on the march, and as day was breaking, were within view of the spot. No pickets had been thrown out, and no precaution taken against surprise; whether from a sense of security or from negligence, is yet to be explained. This exposed condition of Winchester's camp, admitted the formation of Procter's line within musket shot.

Major Richardson who was present with his regiment, the 41st, in his history of the war, written upwards of a quarter of a century after the event, blames Procter, that he failed to storm the camp with the bayonet, for it was taken by surprise. Had Harvey been in command, it is more than probable that that course would have been taken, and the attack of Stoney Creek would have been repeated, perhaps with additional effect. Procter's success may have silenced criticism on the subject, so little comment at the time was made on his generalship. As to-day we read, the movement of the attack, and the losses experienced, the tendency will be to accept the opinion, that the bold spirit shewn by Harvey at Stoney Creek should have been followed at Frenchtown. Procter, on the alarm of the sentry being given, commenced the attack with the discharge of his 3-pdrs. The consequence was that the United States troops took possession of a *banquette*, whence they discharged a galling fire on the advancing troops. They rested their rifles on the breast-

* [Major Richardson's History of the War, p. 75.]

works, and deliberately picked off the men standing out in defined outline on the snow. The artillerymen suffered so severely that some of the guns were abandoned. The infantry in their advance were equally galled.

The action had lasted an hour, when the United States right was turned by the militia and Indians, and the force driven from the ground. A movement was made to take the left in flank, and drive them from their advantageous position. It succeeded perfectly, upon which 400 of the force took refuge in a block-house. The right, and part of the centre had been driven back, and pursued along the road for two miles with much slaughter. Among the fugitives were general Winchester, and his son, a young lad of sixteen, who were taken by the Wyandot chief Roundhead, and brought to Procter. He had been so completely surprised, that he was most scantily dressed. Procter was urging forward his attack upon the left wing, when Winchester sent a pencil note to the officer in command at the block-house, for its surrender. The fire was then discontinued. It was a fortunate proceeding, for the men were determined to sell their lives dearly, to avoid falling into the power of the Indians, and they could not have been dislodged from their strong position without a hard struggle.

The loss of the British was severe: killed, 1 sergeant, 1 gunner, 21 privates and seamen, total 24; wounded, 11 officers, 1 midshipman, 6 sergeants, 5 corporals, 1 bombardier, 6 gunners, 116 privates, 12 seamen, total 158; making a total of 182 killed and wounded in a force of 500 men.

The prisoners taken were, 33 officers, 27 sergeants, 435 rank and file, total 495. According to the report of Procter, when the roster was made it was incomplete. Winchester in his despatches gives the number as 512. The loss in killed is not reported, but it must have been considerable, and has been mentioned as between 300 and 400. It is estimated that 1,000 men constituted the force of the United States, but no reliable statement is available. General Harrison, however, in his despatch to governor Shelby, says, "The

greater part of colonel Wells' regiment U.S. infantry, the 1st and 5th regiments Kentucky infantry, and Allan's rifle regiment had been cut to pieces or taken prisoners." On the date of his letter, two days after the action, only 30 of those present in the action had reached fort Meigs. The number was afterwards, however, increased to 150.

The report of Procter's success was rapidly carried through the province, everywhere to be welcomed with exultation. It suggested the possession on his part of abilities and military capacity, the belief in which was only too soon to pass away. On the news reaching Quebec, the legislature, then in session, passed a vote of thanks to him, for the skill with which he had conceived, and the intrepidity with which he had carried out his enterprise. Thanks were also given to the officers, non-commissioned officers and privates of the line, the marine and militia services. Prevost immediately promoted Procter to a brigadier-general, subject to the pleasure of the prince regent; an appointment subsequently confirmed. At this date, there was little expectation of the reverses which in eight months were to be experienced on lake Erie, and of the disastrous retreat which was to bring personal ruin to Procter, and to cast upon the troops under his command the stigma of surrender. What made that event more painful was, that the defeat was attributable not to want of gallantry in the troops, but to Procter's own want of conduct, and neglect of duty in sacrificing his men to the safety of his family.

The defeat of Winchester induced Harrison to make additional efforts at re-organization. His force being strengthened, he established himself on the Maumee in a position which he proceeded to fortify, to withstand even a well directed attack. The spot selected was at the head of the rapids, some 12 miles from the river's mouth. In this position, when the United States should obtain the superiority on lake Erie, the *bateaux* with Harrison's force could descend the Maumee, and unmolested advance by lake Erie to assail Malden and Detroit. Procter resolved to assault the position before it

obtained this threatened strength, accordingly he completed his preparations, and, towards the close of April, left with a force of 1,037 men.* The detachment was accompanied by 1,500 Indians, attended by two gun-boats. Procter's force ascended the river, and established itself on the left bank. The season had been unusually wet, and it was exceedingly difficult to move the heavy artillery. Among the guns were two 24-pdrs. taken at Detroit, and 200 men with several oxen were engaged in their transport from 9 o'clock at night to daybreak. They were, however, placed in position, and the firing opened on the 1st of May; it was continued for four days.

The flank companies of the 41st were detached to the opposite bank, where a battery was also constructed, whence a cross fire was maintained. Harrison learning that general Green Clay was descending the river with a reinforcement of 1,500 men, sent a despatch to him on the evening of the 4th, to attack these batteries on the left bank, while Harrison sallied forth to carry those on the right. Clay arrived on the morning of the 5th. He succeeded in entirely surprising the batteries, which had been left without support. The guns were spiked unopposed. Clay either misunderstood, or disobeyed his orders, which were, after spiking the guns to retire. He, however, continued to hold the position. The alarm being given by the artillery, three companies of the 41st with some militia and a body of Indians under Tecumseh were ordered forward to retake the batteries. It had rained from the early morning; it now commenced to pour down with

	Officers.	Sergeants.	Rank and File.	Total.
* General Staff.....	5	..	..	5
Royal artillery.....	2	1	27	30
Royal engineers	1	.	..	1
10th veteran battalion.....	..	..	5	5
41st regiment.....	11	22	380	413
Royal Newfoundland.....	3	3	57	63
Commissariat.....	3	..	..	3
Field train.....	1	1	..	2
Militia.....	33	22	460	515
Total.....	59	49	929	1,037

violence, the roads were deep in mud, and the progress became painful through the cold slush of early May. The troops, however, unhesitatingly pressed forward. Clay's men sought refuge in the woods. As they retreated before their pursuers, they were attacked by the Indians, who had been posted with this design. Their loss was exceedingly serious. Of the total number not more than 150 effected their escape, among whom was their leader, Green Clay. Some 450, with the second in command, became prisoners.

The sortie under Harrison was equally successful; the troops were driven from their position, and 2 subalterns and 30 men of the detachment made prisoners. On the battery of the left bank being retaken, it was found that the guns had been spiked with ramrods, so they were again made serviceable, and the fire was re-opened. A white flag was observed from the intrenchments, and the hope was entertained that it was a promise of surrender. But Harrison had no such view; indeed the siege had lasted but four days. It was a *ruse* to admit of the boats which accompanied Clay, laden with stores and ammunition, to be placed in such a position, that the freight could be discharged. Harrison's nominal purpose was to obtain an exchange of prisoners, and while the arrangement was taking place, he disembarked the stores and ammunition, of which he was in great want. The remaining boats, with the private baggage and property of the division had been taken by the Indians, who had continued in pursuit of the fugitives. The exchange completed, the white flag was withdrawn and hostilities recommenced.

Richardson tells a terrible story of Indian cruelty, the facts of which, however painful to write, cannot be disputed. A body of the United States force had surrendered, and were sent down under an escort of 50 men to the encampment, to be embarked in the gun-boats for protection. On reaching the camp, which was then almost deserted, a body of Indians came down and attacked the unarmed prisoners. The guard endeavoured to protect them, "and an old and excellent soldier" of the 41st, named Russell, was shot through the

heart in the attempt. Obeying their savage instincts, which demand life for life, they had killed 40 of the prisoners in this horrible way, all of them having been tomahawked, when Tecumseh appeared on the scene, having on hearing the news, galloped there at full speed. His threats and tone of exasperation quelled the tumult. The Indians ceased their murderous conduct, overawed, and subdued. Among those who thus suffered was Dudley, Green Clay's second in command. The attack was so sudden and unexpected, that it could not be repressed. I do not feel justified in passing over this painful event in silence, whatever the consciousness of its distressing, repulsive truth.

As May advanced, Procter abandoned all hope of reducing the intrenchment. The militia were becoming dissatisfied, owing to the prolonged absence from their farms, where their presence was required to prepare for the summer crops. Several had already left. The Indians, enriched with plunder, and wearied by warfare not in accordance with their custom, had greatly diminished. Tecumseh, with the Shawnees, and some other tribes, not exceeding 400 in number, still remained at their post. The fatigues and privations commenced to tell upon the men; for there were no tents; and the camp was formed of such huts as could be built, and there had been much wet weather. The spot itself was unhealthy, and ague and dysentery were commencing to make their ravages; consequently Procter determined to abandon his operations. He left his position without interference, bringing with him his artillery, and the whole of his stores. He descended the river unmolested to lake Erie. His despatch from Amherstburg is dated the 14th of May; the inference is that he arrived there the previous day. His loss was: killed, 14 rank and file, 2 officers, 4 sergeants; wounded, 41 rank and file.

Procter's conduct of the siege does not bear testimony to his capacity. With his large force of Indians acting as scouts he was surprised by the attack of Green Clay on his batteries, unwarrantably left without support. He was over-reached by Harrison in the exchange of prisoners. He seems to

have trusted to the dogged courage of his men, more than to the exercise of judgment, watchfulness, and prevision. His regimental officers saved him from a reverse. With a leader of different calibre from Procter the record would have been, most probably, that of success.

During the summer Procter undertook two expeditions which convey no favourable view of his generalship. One dominant purpose should have actuated him; the completion of the fleet on the organization of which Barclay was engaged. The exertions of the United States at Buffalo and at Presqu'ile, to fit out an armament, to become masters of lake Erie were well known. These efforts had been commenced in 1812, and the two vessels, carried off under the guns of fort Erie, should have acted as a warning of what would follow. The abandonment of fort Erie by the British in 1812, consequent upon the fall of fort George, had given strength to the naval operations of the United States. They were then only waiting for the completion of Perry's organization at Presqu'ile to join him there. Had Procter's operations been directed towards Presqu'ile, the capture of the fleet on lake Erie might have been avoided.

The loss of the two vessels at fort Erie was seriously felt at the time, for supplies to Amherstburg were carried by water. The labour of passing them from lake Ontario to lake Erie, between Queenston and Chippewa, was in itself formidable; that they should reach their destination at Amherstburg depended entirely upon the command of lake Erie remaining with the British. The United States understood this condition perfectly, and were indefatigable during the whole winter in the construction of vessels and in their equipment. Seamen were sent from the Atlantic seaports under the command of able officers, and no exertion was spared in the organization of a naval armament, the superiority of which would be undoubted. No effort worthy the name was made by sir George Prevost to meet this emergency. Procter testified no interest in the threatened superiority. He does not appear to have understood, until too late, that his

supplies depended upon the power of a naval force to protect their transport. Procter should have foreseen, that in his trying position it was his first duty to have developed the lake Erie marine, to have apportioned the crews, to have aided in their discipline, and to have spared no exertion in assisting Barclay to perfect as he was best able, with the means at his disposal, the armament of his craft. There is no indication that Procter considered that so to act was any part of his duty. On the contrary, he undertook an expedition, the failure of which, not without its shade of ridicule, led him to undertake a second expedition only to experience disaster and in his condition to suffer serious losses.

Towards the close of July, Procter was induced, it is said, at the strongly expressed desire of Tecumseh, to undertake a second expedition against fort Meigs. His experience in May had taught him, that the place was not to be taken by assault. In this case he had recourse to stratagem. The expedition, under his personal command, consisted of the 41st, the militia regiments, and several hundred Indians, with a few 6-pdr. guns. The Maumee was ascended by the right bank to a point not far distant from the fort, but out of view.

Tecumseh's scouts had informed him, that Harrison with a large portion of his force was absent in camp at Sandusky, on lake Erie, some thirty miles distant, to which place a road from fort Meigs had been constructed. Tecumseh's plan was, that the Indians were to leave at a lower part of the river, and unperceived gain the Sandusky road. Firing was then to be heard, as if a skirmish was going on, to induce the belief that a party proceeding to the fort had been attacked. Such a view, it was supposed, would lead the garrison to make a sortie for its relief. So soon as they had passed a certain point, they were to be attacked in the rear, while a strong force would make a rush upon the fort and take it.

The first part of the plot was carried out, the firing was heard, but no movement was made from the fort. The discharge of musketry was so animated, that many in Procter's force were in doubt if the action had not become real. No

consequence such as was expected took place. The whole scheme miscarried. The probability is, that the garrison obtained information of the stratagem with which it was threatened.

Chagrined at being foiled in this attempt, Tecumseh urged Procter not to return without effecting some result. With this view he recommended the attack of Sandusky. Procter does not seem to have seen the folly of attacking a strong fortification with 6-pdrs. The principle which suggested that such an attack would have been futile on fort Meigs, should have been applied to Sandusky. Nevertheless, the attack was persevered in. The force descended the Maumee to lake Erie, following the coast to the river Sandusky. The place was reached on the 1st of August; a demand was made by Procter for its surrender. The commander, major Croghen, replied that he would defend it to the last extremity. The fort was protected by a strong line of picketting, surrounded by a ditch flanked by batteries. It was constructed on the edge of a deep ravine, more or less near to the fortifications as its windings determined, and the ravine was filled with brush-wood. Procter opened a fire from his 6-pdrs. on the north-west angle of the fort, within 250 yards, but with no effect. Had one of his 24-pdrs. been brought into action there could have been a different result. The folly of Procter's attempt soon became visible. After a cannonade of thirty hours, no impression had been made. He therefore determined upon an assault. No fascines were provided; there were no ladders; axes had been distributed among the troops, but they were so blunt from use that they scarcely did more than indent the pickets. No one had thought of the necessity of their having sharp edges. Nevertheless, the men boldly advanced, struggled through the ravine and jumped into the ditch, but they suffered severely from the guns of the batteries, charged with musket balls and slugs. Some of the men established themselves on the ditch side by the pickets, but there were no scaling ladders to enter the fort. Lieutenant-colonel Short of the 41st was killed at the head

of his column while descending the ravine. The command devolved on lieutenant Gordon; he too fell, having been previously wounded. The action continued two hours without any impression being made, when the bugle sounded "cease firing." The men were directly to lie down till nine o'clock. An order was passed to retreat in silence, leaving behind the dead and wounded. The record of the attempt as it relates to Procter, is as discreditable as it was unfortunate. The loss of the British was: killed, 3 officers, 1 sergeant, 22 rank and file; wounded, 3 officers, 2 sergeants, 36 rank and file; missing, 1 sergeant, 28 rank and file left behind wounded. Total 96.

I have now arrived at that period of the war, when the one serious reverse was to be experienced, which moreover for a time placed the extreme western part of Canada in temporary possession of the United States; and reflected positive disgrace on the general to whose want of conduct the painful result must be attributed, general Procter. The catastrophe, for all disgrace is a catastrophe, can be directly attributed to procrastination, to the absence of ordinary prudence and precaution, and to the desire of assuring the safety of his wife and his private baggage. It may, also, be said that he wasted his resources in the two fruitless expeditions to fort Meigs and fort Sandusky that I have recorded. But there was a primary cause behind Procter in the person of the governor-general. His letters shew, that although he thoroughly understood the absolute necessity of obtaining the command of the lakes, yet he failed entirely to act with the wisdom, the enterprise, and the energy by which that result could be obtained.

The command of lake Erie had been given to captain Barclay of the royal navy, subject to the orders of sir John Yeo, at Kingston, personally in command on lake Ontario. Yeo was in the position, that from his own imperfect strength he was only indifferently prepared to cope with the United States fleet under Chauncey. He, however, was able, energetic, and patriotic, and if Prevost had been anything higher

than a clever writer of despatches, if he had had the ability to profit by the capacity of his lieutenants, he would have enforced upon Yeo, the necessity of securing Barclay, even at some risk to himself. The appointment on lake Erie was first offered to captain Mulcaster, but he had refused its acceptance from the insufficiency of means to perform the duties.

Barclay took possession of his command at the end of June with 19 sailors, and the few vessels, insufficiently provided, without the proper armament, the crews being composed of *voyageurs* and landsmen. The work of constructing the "Detroit" was being carried on at Amherstburg.

The ships placed at Barclay's disposal on his assuming command were :

"Queen Charlotte"	16	guns,	crew of 110,	of 280 tons.
Schooner, "Lady Prevost,"	12	"	76,	120 "
Brig, "General Hunter" . .	10	"	39,	74 "
Sloop, "Little Belt"	3	"	15,	54 "
Schooner, "Chippewa"	1	"	13,	32 "

253

The crews consisted of Canadian boatmen accustomed to navigation of the lake, and of soldiers taken from the garrison and the militia, the proportion being about 9 to 13. The soldiers brought with them military discipline, the boatmen had simply the readiness of the lake sailor. Barclay busied himself in completing the "Detroit," pierced for 18 guns and measuring 305 tons. No proper armament had been sent forward, the guns differing in calibre, had to be taken from Amherstburg, not from fitness for the service but from the necessity of the case, for there were no others to be had. Barclay had repeatedly prayed for British seamen to man his vessels; all he could obtain was 50 men for the whole number.

Had Prevost been equal to the duties of his position, he would have seen the danger in which Procter stood of being left without provisions. Nearly every pound of bread had to be supplied from the east by the lakes as flour, which could only be delivered under the convoy of a naval force that was

unassailable. The beef could be driven there as oxen. No effort should have been spared to place Barclay in the position to perform the duties, for which he was in every way capable. If Yeo felt that there was danger in reducing his force on lake Ontario, in the desperate situation of Amherstburg, the risk might have been incurred for a few days. Volunteers also might have been obtained from the ships at Quebec, as subsequently happened for lake Champlain. But Prevost was without moral courage; he shrank from all responsibility, and so long as he could satisfy the home authorities by plausible despatches his point was attained.

The "Detroit" was launched really unfinished, her masts stepped, the rigging fitted, and the guns placed on her as they could be obtained. Procter's position at Amherstburg had become daily more critical. His strength was about 1,000 men, and in the first week of September 3,500 Indians had gathered around him, all of whom had to be fed. Provisions were being rapidly consumed. Barclay himself has explained his reason for fighting. He wrote, "unless certain intimation was received of more seamen being on their way to Amherstburg, I should be obliged to sail with the squadron deplorably manned as it was, to fight the enemy who blockaded the fort, to enable me to get supplies of provisions and stores of every description. So perfectly destitute of provisions was the fort, that there was not a day's flour in the store, and the squadron under my command were on half allowance of many things, and when that was done, there was no more." Under these circumstances Procter "concurred in the necessity of a battle being risked under many disadvantages." *

On the 9th of September Barclay sailed from Amherstburg. His vessels were the "Detroit," 20; "Queen Charlotte," 20; "Lady Prevost," 12; "General Hunter," 6; and the two small craft I have named. The crews numbered 345 men.

On the morning of the 10th the United States vessels under commodore Perry were seen leaving Put-in bay. They consisted of the "Lawrence" brig, 20; the "Niagara" brig,

* Barclay's despatch, Put-in bay, lake Erie, 22nd of September.

20; the schooner "Caledonia," 3; "Ariel," 4; "Somers," 2; "Porcupine," 1; "Tigress," 1; "Scorpion," 2; "Trippe," 1; with crews amounting to 650 men.

In the small British flotilla the "Detroit" mounted one 24-pdr., one 18-pdr., three 12-pdrs., and four 9-pdrs., with a 24-pdr. carronade. Total, a broadside of ten.

The "Queen Charlotte" had two long 12-pdrs., seven 24-pdr. carronades. A broadside of nine.

The "Hunter," one 6-pdr., two 4-pdrs., one 2-pdr. long guns, with one 12-pdr. carronade. Total broadside of five.

The "Little Belt" had one 9-pdr., two 6-pdrs. Total, three guns.

The "Chippewa," one 24-pdr.

The United States vessels, the "Saint Lawrence" and the "Niagara," had each one 32-pdr. long gun and nine 32-pdr. carronades. A broadside of ten.

The "Porcupine," "Tigress," each a long 32-pdr. The "Ariel," four long 12-pdrs. The "Caledonia," two long 24-pdrs. and one 32-pdr. carronade. The "Trippe," a long 24-pdr. The "Somers," one long 24-pdr. and one 32-pdr. carronade.

Captain Barclay bore for the ships, but unfortunately the wind shifted, and brought Perry's squadron to windward. Thus the gun-boats chose their distances, with their long 32-pdrs. keeping out of the range of the 24-pdrs., which fell short. The "Detroit," about twelve, came to close action with the "Saint Lawrence," Perry's flag ship, supported by the "Ariel" and "Scorpion." The action continued for two hours and a quarter, when the "Saint Lawrence" dropped astern and struck. During the action Perry abandoned her and went on board the "Niagara." Perry admits that the "Saint Lawrence" struck her flag, and adds, "that the enemy was not able to take possession of her, and circumstances soon permitted the flag to be again hoisted."

The "Niagara," supported by two schooners, had engaged the "Queen Charlotte"; she had kept far to windward and attacked with her long 32-pdrs., so the "Queen Charlotte"

guns were of no account. When Perry went on board of her she was perfectly fresh and uninjured. At the beginning of the action, captain Finnis, of the "Queen Charlotte," was killed. "Too soon, alas! was I deprived," wrote Barclay, "of the services of the noble and intrepid captain Finnis, . . . my greatest support." Immediately afterwards, lieutenant Stokoe was struck senseless by a splinter. The charge of the vessel now fell on lieutenant Irvine, of the provincial navy, full of courage, but inexperienced as a commander. By this time the "Detroit" was a wreck, from the fire of long guns of the gun-boats. No assistance could be given her by the "Queen Charlotte." The "Lady Prevost" had been injured in her rudder, and was far to leeward. Perry, accompanied with his small vessels, advanced against the "Detroit." From the position of the "Queen Charlotte" in her attempt to wear, to resist the "Detroit," the vessels dashed together. As Perry came within pistol shot, he took a raking position in the bow of the "Detroit." Barclay was so severely wounded that he was carried below; the first lieutenant, Garland, was mortally wounded. The ship now became uncontrollable, and many of the guns useless. The British vessels in every instance were disabled, more than one-third of the crews, with their commanders, killed or wounded, and there was no alternative but to strike their flags.

Never was an action more gallantly fought. The "Detroit" had her first lieutenant killed, the commander, Barclay, and the purser, Hoffmeister, who had volunteered as a combatant, dangerously wounded. On the "Queen Charlotte," her captain, Finnis, killed; the first lieutenant severely, the midshipman slightly wounded. The "Lady Prevost" had the commander and first lieutenant severely wounded. The "Hunter" had her commander severely, and a midshipman slightly wounded; a lieutenant of the Royal Newfoundland was killed. Exclusive of officers 38 were killed, 85 wounded; total, 133, out of a total of 384 men.*

* It can scarcely be credited that a certain number of the citizens of Boston caused to be engraved on a service of silver plate, that "a very superior British force on lake Erie was entirely subdued by commodore O. H. Perry. . . ."

The loss of the United States squadron was 27 killed and 96 wounded ; total, 123, out of a force of 650 men.

The defeat of Barclay was the death-knell of further possession by the British of Detroit and Amherstburg. Troops by thousands had been assembled at fort Meigs and Sandusky, and boats collected to take them to the river Detroit under convoy of the fleet, when it was in the condition to render it. The convoy was now not necessary, for the British fleet was no longer in existence. Boats from the Maumee could follow the coast line without interference, and land at Amherstburg, to find a fort imperfectly provided, and without artillery, many of the guns having been taken for the "Detroit." The result of the fight had been awaited by the garrison with the greatest anxiety. The firing had been distinctly heard, the smoke from the contest distinctly visible, and when the smoke cleared away and the British fleet was nowhere to be seen, the most gloomy conclusions on all sides were formed, only with too full warrant.

The position of Procter was indeed desperate. His troops had been without pay for several weeks ; many were wanting great coats, and ordinary necessaries of clothing in face of the advancing winter, and food was coming rapidly to an end. In a few hours he might expect that Amherstburg would be assailed by 5,000 men, with its garrison denuded of artillery. Fever and ague had caused not only bodily weakness to a large number of the force, but also the depressing influence always attending them. The hospital was crowded. It was not possible to make a stand at Amherstburg ; for in addition to an attack by land of the troops, the gun-boats could assail the fort from the river without interference. If resistance were to be offered, it must be to the east, in a position selected for its strength, fortified as far as it was possible against the threatened attack. With a soldier like Brock or Harvey, there would have been no chapter of mischance to relate, but Procter had neither their professional knowledge, their military instincts, nor the original conception which springs from genius. As will be seen, owing mainly to his thought of the

preservation of his family and his baggage, he failed in duty to his trust, and to the men under his command.

He called a council, at which the Indians were present ; he set forth the defenceless position of the post, the impossibility of preventing the landing of the United States troops, and the destitution by which they were threatened, from the nearly exhausted condition of the magazines. He proposed that the forts of Detroit and Amherstburg should be destroyed, and that the troops and Indians should retire to the central division at Burlington heights. Tecumseh shrank from the conclusion of deserting the position, without an effort at defence. He spoke with great bitterness of the proceeding, for he foresaw in that step the abandonment of the Indian to the mercy of the United States. He preferred to die in the defence of the rights of his people, rather than to see them outraged, and trampled upon. He opposed the retreat, and was powerfully supported by the chiefs present, indeed by the whole body of Indians. The explanations given quieted Tecumseh. Finally, he accepted the proposition of a retreat, and his acquiescence obtained the consent of the other chiefs. It was resolved that a stand should be made at Moraviantown, considered to be half way between Amherstburg and the outposts of the central division, a calculation shewing an absence of all correctness. The distance from Sandwich to the scene of the action was about 63 miles ; from the battle ground to Ancaster, the objective point, seven miles west of Burlington heights, about 120 miles.

The troops were immediately engaged in destroying the fortifications, loading the baggage waggons and boats, which were sent up the Detroit river to lake Saint Claire, to follow the Thames to Moraviantown, as far as it was navigable for craft of heavier draught. The officers' wives, with the women and children, were also sent forward, the whole under an escort to the forks of the river, where a settlement had been lately made, now known as Chatham. Five miles west of Chatham was a cluster of houses, Dolson's or Dover. There was no road directly from Amherstburg to the east, the route

ran along the river to Sandwich, opposite Detroit, whence it turned to the southern shore of lake Saint Claire, as far as the mouth of the river Thames. The road then followed the southern bank of the river, and, as I understand the information to which I have access, crossed to the north side, at the site of the present Thamesville. From Chatham to the crossing place was fifteen miles. The action took place on the north side, about two miles to the east of this spot, in what is now known as the Gore of Zone, on ground extending from lots 2 to 6. There is some uncertainty as to the precise position. On one side it is stated that it was commenced on lot 2 and was ended on lot 4, others maintain that the struggle took place on lots 5 and 6. Two miles east was the mission known as Moraviantown.

There was a great deal of baggage to be moved. The fact is undisputed, for it is a matter of the strongest censure in the general order of Prevost,* and it has been affirmed that the primary thought was its safety. The retreat from Amherstburg commenced on the 24th of September. The column left Sandwich on the 27th. On the 1st of October the force had reached Dolson's or Dover, 5 or 6 miles west of Chatham and twenty-six from Moraviantown, where general Procter then was. The distance from Chatham to Sandwich, opposite Detroit, is 45 miles. Thus in five days, from the 27th of September to the 1st of October, the troops had only advanced 45 miles. Evidently, it was the belief of Procter that he would not be pursued. Such was decidedly the opinion of Harrison.† It is not easy otherwise to explain

* General order, Montreal, 24th of November, 1812. "The right division appears to have been encumbered with an unmanageable load of unnecessary and forbidden private baggage, while the requisite arrangements for the expedition, and certain conveyance of the ammunition, sole objects worthy of consideration, appear to have been totally neglected."

† Harrison to secretary of war, Detroit, 9th of October, 1813. "He (Procter) must have believed, however, that I had no disposition to follow him, or that he had secured my continuance here by the reports that were circulated, that the Indians would attack and destroy this place upon the advance of the army, as he neglected to commence the breaking up of the bridges, until the night of the 2nd instant."

the want of caution shewn by Procter. He left the bridges standing behind him, and there are six creeks at least intervening between Sandwich and the Thames. The most indifferent discipline was observed; there was a want of caution in guarding the supply boats; carelessness in issuing rations to the men; and an utter abandonment of all precaution for their care and safety. They even went into action on the 5th of October, unfed.

Harrison, however, had no intention of being satisfied with the evacuation of Detroit and Amherstburg. He had landed on the 27th, nine miles below Amherstburg, with 5,000 men and the fleet of boats to sustain him. After taking possession of Detroit, where he found all the public buildings burned, he determined to follow in pursuit the British detachment. He knew the smallness of Procter's force, and that it was indifferently provided with provisions and artillery. On the 2nd of October he left Sandwich; his force consisted of 4,000 men. He described the number present in the action at 3,500, unencumbered with any heavy baggage, for, excepting the supply and ammunition carts, it had been sent round by lake Saint Claire. Accordingly he could march rapidly. The total British force against which he had to contend was 367 of all ranks of the 41st regiment, about 20 of the Royal Veterans, approximately the same number of artillery, making the total in the field 407. In addition to the British troops were 800 Indians under Tecumseh.*

The British remained stationary at Dolson's during the

* The fact is substantiated by the statement given by lieutenant Bullock of the Grenadiers, of the 41st, the one officer who escaped. Owing to the severe criticism to which the regiment was subjected, he was called upon by major Friend, commanding the 2nd battalion, to give a detailed report of the action as coming within his knowledge. This letter is to be found in Richardson [page 137]. Bullock gives the number of the regiment actually in the field as, 1 lieutenant-colonel, 6 captains, 9 lieutenants, 3 ensigns, 3 staff, 20 sergeants, 18 corporals, 4 drummers, 297 rank and file, total 367. Harrison reported as his prisoners 601 regulars, including 25 officers, a disingenuous proceeding on his part, for it led to the belief that he had been opposed by this number. The additional number to make up the 600 were the prisoners, taken during the advance with the supply boats, and the sick.

2nd, Procter himself having proceeded to Moraviantown. On the 3rd, the news reached the column, that the cavalry picket had met Garrison's advance guard within four or five miles of Dolson's. Lieutenant-colonel Warburton, in command of the detachment, was in great embarrassment. Procter was absent ; he had left no orders, and Warburton was ignorant of his plans. He consulted with Tecumseh, and the column retreated about two miles, when it formed up in expectation of attack. Later in the day they marched to Chatham. The Indians took ground on the opposite bank of the river, and then sent word from their camp to Warburton, that they would not proceed farther, as Procter had promised to fortify the position and to fight at that place. Warburton endeavoured to reason with them, but they would not change their view. So, with his men he crossed the river, and the whole force remained in this position, expecting every moment to be attacked. Excepting the out pickets, the troops passed the night opposite to Chatham. On the morning of the 4th, the meat was served out raw. Before it could be divided, intelligence was received of the approach of the United States troops, and a further retreat was made for six miles. When at this spot, the troops were joined by Procter from Moraviantown, and by his orders the march was continued during the day. The roads were very bad, the men much fatigued, and they had been indifferently fed. On their arrival at Richardson's, six miles from Moraviantown, two companies were halted as a rear-guard. The main body proceeded to Shearman's, one mile farther, and the halt was made for the night.

It was now the morning of the 5th of October. Some cattle were killed, and the whole force was collected, but before the rations could be divided, it was reported that the enemy was upon them. The retreat was continued towards Moraviantown ; and within two miles of this place a halt was made. The troops were marched back on their route a few paces, and no one seemed to know what was to be done. Intelligence now appeared in the arrival of several men, without

arms or accoutrements. They had escaped from the attack of the boats that had been cut off, which contained the supplies, and the whole of the ammunition, except what the men had in their pouches.

Harrison had moved with rapidity. On the 2nd he had reached the creek, 25 miles from Sandwich. On the following morning he captured a small cavalry picket. He learned from his prisoners, that little was known by Procter of the advance. That night he encamped at Drakes, four miles below Dolson's. He had reached a point beyond which his boats could not ascend ; so, leaving a guard of 150 men, he went forward with his main force. On reaching the forks where the south branch, now McGregor's creek, falls into the Thames at Chatham, he found the bridge had been removed and the ground disputed by the Indians. Harrison imagined that a stand would be made here, so he brought up his whole force with two 6-pdrs. A few discharges drove away the Indians ; in two hours the bridge was repaired, and Harrison's march was continued. There was a second bridge over the creek, similarly disputed, and similarly taken in possession. Harrison bivouacked on the night of the 4th at Bowles', four miles above the creek. On the march, they came upon a vessel on fire, with arms and ordnance stores. At Bowles' he found two more vessels, with stores and ammunition in flames, which it was impossible to extinguish. There was also a large distillery similarly provided, also burned.

On the 5th the advance was continued. At Arnold's mills, two gun-boats, and several *bateaux* loaded with provisions and ammunition were taken, and several prisoners. With the prisoners who surrendered after the action, they raised the number to 601 mentioned in the report of Harrison, in a manner to represent, that the whole force had been opposed to him in the field. There was a rapid at Arnold's mills where the river was fordable, but it would not admit the passage of infantry. But Harrison had boats and canoes. The Kentucky horsemen were also directed each to carry an

infantry soldier behind him, and he tells us his whole force was taken across by 12 o'clock. Eight miles from the crossing, he came to where the bivouac of Warburton had been established the previous night.

The alarm of the approach of the United States troops led to a continuation of the retreat to within two miles of Moraviantown, where a halt was made. The order then came to face about. It was understood that it was to engage the advancing force, and the men obeyed the order with spirit and alacrity. The troops had not gone more than 50 or 60 paces, when the halt was made a second time. The men were much dissatisfied, and commenced to murmur. They were willing to fight for their knapsacks, and to meet the enemy, "but they did not like to be knocked about in that manner, for neither one thing nor the other." The feeling was checked by the officers. Probably there was no one on the ground who was not affected by the same sentiment. The halt was continued, the men sitting on logs, and the fallen trees by the road side. There was no attempt at the construction of any defence. There were axes, but no *abattis* were made. There was no plan of action; the guns brought by Procter were not available except one single 6-pdr.

The ground on which Procter was thus forced to fight without choice on his part, had its advantages. The Thames, at this spot deep, covered the left flank; about 200 yards distant was the travelled road, and here they placed the 6-pdr., forming the centre of the position. To the right was a cedar swamp, impassable to cavalry. The regular forces were extended among the trees in the neighbourhood. The Indians were on the right, partially in the swamp. On the news being received of the approach of Harrison's force, without any previous arrangement, the order was given to form across the road, and the movement was made in some confusion. A second order was issued for two companies to form a reserve under lieutenant-colonel Warburton.

Supporting his mounted riflemen, 1,500 in number, by a strong column of infantry, the order was given by Harrison

to charge. The British troops in extended order met the charge by a volley ; for a moment the attacking party was checked. A second volley followed, when the mounted men broke through the line, and, before it could re-form, wheeled round and poured a destructive fire into the British. The British made no further attempt to stand their ground, but retired in disorder behind the companies in reserve. For a time the second line stood fast and fired a volley, but it was also broken through, and the whole scattered in confusion. In this condition, there was no alternative but to surrender. *

The attack of the Indians in the swamp was not so quickly decided. Harrison admits the impression made by them upon Desko's division, but his strength enabled him to send forward fresh regiments, and the 800 men, overwhelmed by numbers, were scattered and driven to flight.

The great loss to the British was the Shawnee chieftain, Tecumseh. Richardson describes him before the action as passing along the British line on his way to his own position. He pressed the hand of every officer with some remark in Shawnee. Towards the end of the engagement, he was opposed to colonel Johnson, whom he had wounded with his rifle, and was in the act of despatching him with a tomahawk, when Johnson drew a pistol and shot him dead. His body was treated with great indignity. After having been scalped, he was partly flayed ; and his skin was carried away as trophies, it has been asserted, to be used in Kentucky as razor straps. At least, it was so boasted.

The few who managed to escape through the woods were only lieutenant Bullock of the 41st, and some fifty men. Procter had stationed himself behind the second line with

* Harrison thus describes the attack, and its account cannot be disputed :—
“The mounted men received the fire of the British line and were ordered to charge ; the horses in front of the column recoiled from the fire ; another was given by the enemy, and our column at length getting in motion, broke through the enemy with irresistible force. In one minute the contest in front was over. The British officers seeing no hope of reducing their disordered ranks to order, and our mounted men wheeling upon them and pouring in a destructive fire, immediately surrendered.

his staff. During the action he never passed beyond this position. On the retreat of the first line upon the second, as the latter opened fire upon the advancing mounted riflemen, he turned with his personal staff, and fled as rapidly as he was able. Harrison describes Procter as escaping "by the fleetness of his horse." Procter's escape was facilitated by some baggage waggons and gun-carriages becoming impeded in crossing Twenty-four Mile Creek, some fifteen miles from the scene of action. The pursuers, whose horses had become incapable of further exertion, abandoned their effort, and contented themselves with plundering the waggons; after which they returned to the main body. Harrison's force advanced as far as Moraviantown, two miles distant, which was burned by them: one of those wanton acts of cruelty which often characterized the presence of the United States troops when in Canada. There is no justification for the act. Although an Indian, it was a christian community; its population had taken no part in the action, and there was no cause for this outrage on the few inhabitants.

We next hear of Procter 7 miles from Burlington heights, 120 miles from the scene of action, with a total force of 246 of all ranks and 53 horses.* Where did they come from? They were not in the action. The one officer who escaped was lieutenant Bullock, with from 40 to 50 men. He is distinctly addressed by major Friend as the "senior and only officer." Bullock is careful in giving the number present in the action. There is no other conclusion than that the detachment was on guard on the general's wife and baggage. On the news reaching Montreal, Prevost published a general order of the 18th of October, severely reflecting on the 41st.†

* As given in general order of 24th of November; 18 officers, 15 sergeants, 9 drummers, 204 rank and file. Total, 246; 53 horses.

† "Very few appear," are the words of the text, "to have been rescued by an honorable death from the ignominy of passing under the American yoke, nor are there many whose wounds plead in mitigation of the reproach. The right division appears to have been encumbered with an unmanageable load of unnecessary and forbidden private baggage, while the requisite arrangement for the expedition and certain conveyance of the ammunition and provisions, sole objects

The conduct of captain Barclay of the navy received his approval.

Procter endeavoured to vindicate his conduct by stating that he had drawn up his men in a position the most favourable for a stand against cavalry; that the failure to resist was owing to the want of firmness of the regiment; likewise, that he had ordered Dover to be fortified, and that duty had been neglected. How could it be fortified? The place was incapable of furnishing any defence, and the one engineer officer, captain Dixon, was with Procter at Moraviantown, while one 6-pdr. only had been left to the troops. The difficulty was that no orders of any sort were given. From this uncertainty, and from the absence of all command and prevision, Procter had entirely lost the confidence of his men. Where this is wanting with British soldiers, their whole character becomes changed.

The troops had been formed in extended order in a line in the open woods, of all places the worst for such defence for a charge of mounted riflemen. The great body of Harrison's force was directed in the first instance against the regulars. The handful of men was overborne in a few minutes by the 1,500 mounted riflemen. On their defeat, the Indians were attacked, in their turn to be dispersed.

While conducting the marches leisurely, as if no danger threatened him, Procter neglected every precaution. The feeling is irresistible, that the safety of his wife became his first care. The Moravian village, some two miles from the scene of the action, could have been fortified; *abattis* could have been constructed around it, batteries erected, and the

worthy of consideration, appear to have been totally neglected, as well as all those ordinary measures resorted to by officers of intelligence, to retard and impede the advance of a pursuing enemy. The result affords but too fatal a proof of this unjustifiable neglect. The right division had quitted Sandwich on its retreat, on the 26th of September, having had ample time for every previous arrangement to facilitate and secure that movement; on the 2nd of October following, the enemy pursued by the same route, and on the 4th, succeeded in capturing all the stores of the division, and on the following day attacked and defeated it almost without a struggle." [Richardson, "War of 1812," p. 127.]

houses occupied. In front there was a ravine difficult of access to cavalry ; and a determined soldier, like many who figured in the war, would have held the place successfully ; certainly, for a time. Procter simply did nothing, as if he trusted to chance. No one knew what were his plans, and his second in command was left without orders. The men, quick to judge, lost all confidence in their leader, and no longer maintained that good stout heart, the key of resistance in every battle of life. The officers murmured among themselves, for they saw the danger of their position, and the want of conduct of the general. When the hour of danger came, with the absence of all precaution to meet it, they felt the certainty of the disaster which would overtake them ; a feeling intensified by the sentiment that neither prudence nor determination had been shewn, and that they might have occupied a position in which they could have given a good account of themselves. They had the painful knowledge that all the ammunition in their possession was in the pouches of the men, and that there was no more food, for the supply boats had been taken. The men had gone hungry into action, harassed and worn out by the movements of the previous three days, which had no object in view. The British soldier, on that day, was placed in line without confidence in his general, unprotected by the slightest defence, and with the knowledge that the small force of which he was one was to be attacked by hundreds ; in a word, it may be said, without hope. Who was responsible for this condition but general Procter ?

The prisoners of war were marched to Chilicote on the Scioto, in Ohio, undergoing hardships from the rough treatment they received. For a short time the officers were allowed some personal liberty. Afterwards, they were confined in the common gaol, and eventually transferred to Frankfort penitentiary in Kentucky, to be confined with convicts, to be handcuffed, and to be subjected to every indignity. The cause of this treatment may be traced to antecedent facts.

After the defeat at Queenston, twenty-three British deserters were discovered among the prisoners taken, and were sent to England to be tried. On the news being known in the United States, twenty-three British soldiers were placed in close confinement as hostages for the safety of these men, and were treated with rigorous harshness. The order was issued at a time when the star of Napoleon was regarded as being in the ascendant, giving rise to the belief, especially in the south and west, that the humiliation of England would follow, and that she would be powerless to resent both insult and injury. The proceeding was communicated to the governor-general by letter from Dearborn, and by him reported to the home authorities. When the intelligence was received, orders were sent for the close confinement of forty-six officers, and non-commissioned officers at Quebec, also as hostages to secure the safety of the British.

A general order was issued on the 27th of October, 1813, setting forth the facts. It declared, that if any of the British soldiers suffered death, double the number of the United States hostages would immediately meet the like fate. Further, that if such a sentence were carried out the war would be prosecuted with unmitigated severity against the cities, towns, and inhabitants of the United States. The knowledge of this order led the secretary of state in November to address the governor of Kentucky, directing the confinement of the prisoners at Frankfort.

Wilkinson, then in command on the Canadian frontier, communicated the fact of this close arrest to the governor-general, upon which a second general order was issued on the 12th of December, in which it was declared that, consequent on this proceeding, all United States prisoners of war, without exception of rank, would immediately be placed in confinement.

I must somewhat anticipate events in dealing with this episode; but it is best related in this place.

The news reached the United States that Napoleon had been defeated at Leipsic, was being driven back on Paris, and had offered terms of peace. That he was a vanquished man;

and Great Britain, whose *quasi* ruin had been predicted, and whose supposed inability to resist had led to the war, was victorious. Hence that the theory of a successful promenade through Canada, to terminate at Halifax, would prove a boastful fable, and if the war was continued in America her whole strength would be given to its prosecution.

In March, the United States secretary of state proposed an exchange of prisoners. General Winder, taken at Stoney Creek, was exchanged, named agent on the part of the United States, and vested with full powers. Colonel Baynes was appointed on the part of the British government. In the negotiation, the 23 British deserters sent to England for trial, were excluded from the operation of the convention. The convention amicably proceeded. Indeed, throughout, Winder behaved with sense and judgment. There was a great disparity of prisoners, the British holding many in excess of those in the hands of the United States. It was, therefore, agreed that they all should be released, and the excess of prisoners received from Canada, both with respect to rank and numbers, should be accounted for by the United States, by an equal number of men being held from service on parole, until accounted for by exchange.

The agreement was on the point of ratification when a despatch was received, containing a positive prohibition of any recognition of the return of the 23 British prisoners held as hostages, against those taken to England, until it was covenanted that they also should be retained as prisoners. The reason assigned for these fresh instructions was, that there had been an error in transcribing the first letter on the subject. This communication was immediately answered by the declaration, that, as a new basis had been substituted by the secretary of state, the negotiation was at an end. It was however subsequently resumed on the demand of the United States, on the ground, that an exchange should take place, excluding the 23 hostages imprisoned by the United States and the 46 held at Quebec. No mention was made of the 23 deserters in England. In accepting the proposition, Baynes

stated that he must require from Winder "a most direct and unequivocal assurance, that he is authorised to treat and ratify, without further reservation on the part of his government" the negotiation on the principle named. Winder replied courteously and sensibly to this question of his powers, declaring they extended to the full extent. The convention was agreed to on the 15th of April.

Its provisions, however, did not go into effect until July, when colonel Lear, representing the United States, met Baynes and Brenton, on the part of the British government at the town of Champlain, to complete the arrangements. All objections were then removed, and the 69 hostages were included by a supplemental clause in the convention. As no mention was made of the 23 deserters in England, no object would have been gained by retaining the hostages as prisoners, for their imprisonment did not at all meet the difficulty raised during the negotiation. It was, therefore, wisely resolved to let the matter of the 23 deserters sent to England stand unnoticed in the proceedings.

The matter, however, did not terminate here. The officers released at Frankfort had been called upon to sign a conditional parole, with the pledge to return to captivity at the expiration of a limited period, unless previously exchanged. The prisoners held by the British were released without delay, and assurances were given that the same promptitude would be shewn by the United States agents. The United States authorities, however, threw every difficulty in the way, so the British prisoners arrived at Long Point only on the 22nd of September. They even then retained many men of the 41st, who were subjected to much hardship. Every inducement was made use of, to lead them to desert. Among the officers, who had been called upon to give their parole, were Warburton and Evans. When they heard of the terms of the convention, they declared they held the parole to be in no way binding. As they passed through the States on their way to Canada, they saw hand-bills industriously circulated to keep up the courage of the militia, setting forth that

Napoleon had gained another victory near Paris, and had taken the emperors of Russia and Austria and the king of Prussia prisoners, with 40,000 men. Warburton and Evans were not allowed to pass through Buffalo. Brown, in communicating the prohibition, said that "circumstances made it impossible."

Drummond brought the whole subject to the notice of Prevost, who protested against these proceedings to Monroe,* and issued a general order declaring such parole to be inconsistent with the provisions of the convention, and absolving all who had given it. To justify this proceeding he gave a brief history of the negotiations by which their release had been obtained. Thus the matter terminated.

Procter, on his arrival at Burlington heights, experienced the painful consequences that the loss of his force entailed. His first report, of the 23rd of October, led to the demand on the part of the governor-general for a more distinct narrative of the affair. On the 16th of November, he addressed a second letter to de Rottenburg. It repeated what he had already said, and gave a most unsatisfactory reply to the questions asked. As in a former case, he threw the blame upon the men. As it was plain to him that his explanations made no impression on the governor-general, he wrote to sir Gordon Drummond, applying for an investigation into his conduct. The matter, however, had been submitted to the Horse Guards. Procter's next step was to apply for leave to go to England, that his conduct might be investigated there; and he appealed by letter to the duke of York for protection after his many years service.

It was eventually ordered that he should be tried by general court-martial. The court assembled at Montreal, described, be it remarked, in the official record of the Horse Guards, as being in Upper Canada, on the 21st of December, 1814. The sentence was not promulgated until the 9th of September, 1815.

* Can. Arch., Q. 128.2, p. 489, Prevost to Monroe, Montreal, 30th of November, 1814.

The charges were five in number, briefly stated :

1. That, he did not immediately, after the loss of the fleet on lake Erie on the 10th of September, promptly make military arrangements for effecting the retreat, and that he delayed it until the 27th of September.

On this charge Procter was wholly acquitted.

2. That, although he had reason to believe the enemy with superior numbers, would follow and endeavour to harass his march, he did not use due expedition, having encumbered the division with large quantities of useless baggage, having unnecessarily halted the troops for several whole days, and having omitted to destroy the bridges, thereby affording the enemy an opportunity to come up with the division,

On this charge the court found Procter guilty "that he did not take the proper means for conducting the retreat," but not guilty on the other part of the charge.

3. That, he did not take the necessary measures for affording security to the boats, waggons, and carts, laden with the ammunition, stores, and provisions, allowing them to remain in rear of the division on the 4th and 5th of October ; consequently they fell into the enemy's hands, or were destroyed to prevent capture, and that the troops were without provisions for a whole day previous to being attacked.

On this charge the court found Procter guilty, that he did not take the necessary measures to afford security to the boats, etc., but that he was not guilty of the remainder of the charge.

4. That, he assured the Indian chiefs at Amherstburg that they should find the forks of the Thames fortified, nevertheless, that he neglected to fortify the same. That he neglected to occupy the heights above the Moravian village, although he had previously removed his ordnance, with the exception of one 6-pdr., at which place he might have awaited the attack and engaged the enemy to great advantage, that after intelligence of the approach of the enemy, he halted his division within two miles of the said village and formed it in a situation highly unfavourable for receiving an attack.

On this charge Procter was found guilty ; but acquitted of having given any assurance to the Indian chiefs, also of professional incapacity.

5. That he did not make the military dispositions best adapted to meet or resist the attack, and that during the action, and after the troops had given way, he did not make any effectual attempt in his own person, or otherwise, to rally, or encourage them, or co-operate with, or support the Indians, he having quitted the field soon after the action commenced, such conduct betraying great professional incapacity, and being disgraceful to his character of an officer.

On this charge the court found him guilty of failing to make the proper military dispositions. The other portions "they held to be not proven, and therefore fully and honourably acquit him."

The court brought in also a general exculpation, acquitting him of any defect or reproach on account of his personal conduct. Procter was sentenced to be publicly reprimanded, and to be suspended from rank and pay for six months.

The finding was most unacceptable to the Horse Guards. The general order, recording the sentence, set forth that owing to the impossibility of assembling the court for the revision of the sentence, the prince regent had acquiesced in and confirmed so much of the sentence as adjudged the prisoner to be publicly reprimanded. It continued "and in carrying the same into execution, his royal highness has directed the general officer commanding in Canada to convey to major-general Procter his royal highness' high disapprobation of his conduct, together with the expression of his royal highness' regret, that any officer of the length of service and of the exalted rank he has attained, should be so extremely wanting in professional knowledge, and so deficient in those active and energetic qualities, which must be required of every officer, but especially of one in the responsible situation in which the major-general was placed."

While confirming the finding in the charges except the second, the general order set forth : "With respect to the

second charge, it appeared to his royal highness to be a matter of surprise, that the court should find the prisoner guilty of the offence alleged against him, while they, at the same time, acquit him of all the facts, upon which that charge is founded, and yet that in the summing up of their finding, upon the whole of the charges, they should ascribe the offences of which the prisoner has been found guilty, to error of judgment, and pass a sentence totally inapplicable to their own finding of guilt, which can alone be ascribed to the court having been induced, by a reference to the general good character and conduct of major-general Procter, to forget, through a humane but mistaken lenity, what was due from them to the service."

The proceedings were read at the head of every regiment in the army.

THE BREACH OF PAROLE BY UNITED STATES' OFFICERS.

There is one event in the war to which I have to draw attention, indeed, it would be difficult to explain failure to allude to it: the breach of parole by United States' officers, many of them of rank. Several such officers justified the continuance of their services by the explanation, that they received orders from their government to join their regiments; as if such dispensation could be accepted as a valid release from the personal pledge to observe a prescribed line of conduct, on the acceptance of a conditional privilege. It is a known military law, that a parole remains in effect until it is abrogated, by exchange or otherwise, by the officer in authority from whom it was received. Thus any honourable man having given his word to observe abstinence from active service until regularly exchanged and absolved from it, feels bound to adhere to his pledge.

By common consent the law stands that every officer, before giving his parole, pledges his honour as a man, not to bear arms directly or indirectly until regularly exchanged. It is a personal engagement from which his own government cannot absolve him, and which cannot be cancelled without its conditions being fully observed. The United States executive set this principle at defiance, and regardless of any such engagement ordered the officers of the land service to immediate duty.

Prevost, on the 13th of November, 1812, entered into an engagement with general Dearborn relative to prisoners of war, in which it was stipulated "That prisoners on parole of either party should perform no military service whatever."

One of the charges against Wilkinson was of countenancing and encouraging disobedience of orders. The circumstances of the case were, that a lieutenant George Reab, on parole, received an order from lieutenant-colonel Larned to assume his duties. The instructions, dated the 24th of December, 1813, commenced, "I am directed by the Secretary of War to call in all American prisoners of war on parole to their posts. You will therefore repair," etc. Reab in accordance entered upon his duties as a matter of course. When Wilkinson arrived in command, he considered the order to be unjustifiable. We have Dearborn's evidence that it was not given by the secretary of war, in ignorance.* Wilkinson issued a general order dated Waterford, 18th of January, 1814. It ran, "A military officer is bound to obey promptly and without hesitation every order he may receive, which does not affect his honour; but this precious inheritance must never be voluntarily forfeited, nor should any earthly power wrest it from him. It follows, that when an officer is made prisoner and released, on his parole of honour not to bear arms against the enemy; that no professional duties can be imposed upon him, while he continues in that condition; and under such circumstances, any military man will justify him for disobedience."

* The fact is established by general Dearborn's own evidence at Wilkinson's court-martial (Wilkinson's Memoirs, III., p. 197.) Dearborn testified that at the end of March or 1st of April, 1813, "General Armstrong, then Secretary of War, ordered certain paroled officers to perform certain military duties. Presuming he was not aware of the agreement, the witness informed him of it, and shortly after, as he understood, the order was countermanded."

Wilkinson vindicated his conduct on the technical ground that the order had not been addressed to him, but to an officer under his command. It is a sound rule of the service, he said, that an order given to an inferior is not obligatory on a superior. He, however, added that, had the order been addressed to himself, his conduct would have been the same, he would have stood justified to his profession, and by those landmarks, which serve as guides to military men, Wilkinson was acquitted of all and everyone of the charges.*

Among those who were ordered to duty, and who regarded their parole as waste paper, was the celebrated general Winfield Scott. His reputation in history is deservedly high, and the explanation which his official superior gave to his conduct, satisfied him that his parole was not a matter of personal honour, but one which a secretary of war could annul. Taken prisoner at Quebec, and so marched to Montreal, he was released on parole. He shortly afterwards attracted attention in Canada, by the fact being known, that he had taken part in the attack of Toronto,† when Prevost described him as an "unexchanged prisoner."‡ In June, 1813, Prevost wrote to Dearborn that lieutenant-colonels Scott, Christie and Miller, and captain King, were serving under him in "violation of their parole of honour," that "he had publicly disavowed the pretended exchange of those officers declared to have taken place under the authority of the government alone, and had solemnly protested against its validity." A correspondence also took place with regard to Scott, on the part of Vincent and the adjutant-general at Niagara, in which it was stated, that the only recognition Scott could obtain was that of a prisoner on parole.§

In the interest of truth it is necessary that this passage of history be clearly known. Mr. Madison and the secretary of war set at naught the laws by which war is conducted by civilized states. They unwarrantably released officers from their personal parole, assigning the right of so acting to an agreement which had never been made; falsifying the facts upon which their pretensions were founded. The disgrace of this proceeding cannot be removed from the national annals of the United States. It is difficult to judge the position of an officer called upon to serve under such circumstances. By a refusal to act upon the order, if it did not subject him to a court-martial, his professional career would be destroyed. Admitting the pretension that an officer may accept the dictum of his government, and disregard his parole, the whole system becomes a farce. The grant of parole has its origin in the desire to mitigate the individual sufferings which war entails, and its simple provisions can be enforced only by the personal honour of the man accepting the engagement.

It may be argued that the official announcement of the minister of war to an officer, that his parole was no longer binding, owing to diplomatic arrangement, might justify him in his own view in entering upon duty. But what shall we say when the officer is officially told by the general of the force, to whom the parole

* (Wilkinson's Memoirs, III., p. 86.)

† Can. Arch., Q. 122, p. 131; Prevost to Bathurst, Kingston, 8th of August, 1813.

‡ Can. Arch., Q. 122, p. 39, 14th of January.

§ This correspondence in full is appended.

was given, that no such arrangement had taken place, and that his parole was held to be binding on him. Surely his duty was to accept the fact, to act upon the intimation, and so notify his government. I do not conceive it an exaggerated, or strained view to affirm, that the officer would be justified in pleading his personal engagement not to serve. I believe, even at the time, public opinion in the United States would have sustained this view, and the dishonourable conduct of Madison and Armstrong would have been silenced in its general condemnation, and the officers would have been sustained in following what they held to be a personal duty. The officers named, however, saw fit to accept the orders of their government, and ignored their obligations as men, and they must submit to the verdict of posterity on their conduct.

All countries are pestered with political *cabotins*.* Probably the freer the institutions the more prevalent the class. We daily hear of them in the mother country. In the dominion they are not unknown. I do not feel called upon to remark more, than that in the United States certainly they are not absent. I only do so, that I may affirm that, in my humble judgment, there are millions of men in the republic of contrary opinions, whose sober views of duty and honour in a national crisis make themselves felt. It is on men of this character that the safety and well-being of the state must repose. There cannot be a doubt that such a proceeding as I have described, in modern times would create such general indignation, as would outweigh all party feeling, and cover with deserved reprobation those who countenanced it. It is not to revivify animosities that I place on record the event. My desire is to lead to its calm consideration, so the law concerning it may be clearly established, not as regards the individual, for, though unwritten, the law is plain, distinct, and unequivocal. But, that a government may recognise, that it is without the right of interference with what is a personal obligation; an obligation that cannot with impunity be violated without forfeiture of character for honour and truth.

The following is the correspondence referred to in the body of the note.—

† LIEUT.-COLONEL HARVEY TO OFFICER COMMANDING AMERICAN TROOPS.

NIAGARA, 13th June, 1813.

With reference to a paper bearing the signature of W. Scott, Adjutant-General, purporting to be instructions to an Ensign Ingersoll, to proceed on an armed mission to search for an American officer, Captain Mills, who is wounded and a prisoner.

I have the direction of Brigadier-General Vincent to apprise you that if the person who signed the paper above referred to, be the Lieut.-Colonel Scott, who was taken at Queenston on the 13th of October last, it is impossible that he can be recognised in any other capacity than a British Prisoner of War, he having given his parole of honour (of what value is now proved) not to serve again until regularly exchanged.

* I venture to use this word, which the genius of Mr. Pailleron has engrafted in the French language in its secondary meaning as a pretender, a charlatan, a tricky manoeuvrer in literature, art, science, or social life, to advance his intrigues. Its original meaning is that of a poor strolling player.

† Can. Arch., C. 689, p. 94.

Lieut.-Colonel Scott cannot but be aware, however, of what the custom and usage of nations have prescribed, should the chance of war again place him and others similarly situated in our hands.

* F. CHAMBERS, ADJUTANT-GENERAL OF THE AMERICAN ARMY TO
LIEUT.-COLONEL HARVEY.

17th June, 1813.

I am directed by Major-General Lewis to state to you for the information of Brigadier-General Vincent, that the Colonel Scott, who gave the instructions of Ensign Ingersoll, is the identical Lieut.-Colonel Scott who was captured at Queenston. That while perfectly aware of the obligations of a parole, and of too nice honour ever to violate one, as a good citizen, he places implicit faith in the assurance of his government—and as a good soldier obeys its mandates. The American Government has officially announced to Colonel Scott her exchange for officers, &c., taken on board his Britannic Majesty's ship "Samuel and Sara" (which troops are now understood to be in actual service) and has been ordered on duty. Should any misunderstanding exist as to the correctness of the exchange, it may afford question for the two governments, but certainly not for the individual implicated, who is bound to obey her orders regardless of consequences.

SIR GEORGE PREVOST TO GENERAL DEARBORN.

14th June, 1813.

I have been given to understand that Lieutenant-Colonels Scott, Christie, and Miller, and captain King, are now serving in the Forces of the United States invading this Province, under the command of yourself and of Major-General Harrison, in direct violation of their paroles of honour, not to serve against Great Britain or her allies during the war, until regularly exchanged.

I am more surprised at this information, as your Excellency must have been aware from my last communication to you by Major Murray, that I had publicly disavowed the pretended exchange of those officers, declared to have taken place under the authority of the American Government alone, and had solemnly protested against its validity. Under these circumstances I deem it necessary to caution your Excellency against the circumstances which may result to those officers being taken in arms by the Forces under my command.

As your Government has not yet thought proper to make any reply to my last communication upon this subject, Your Excellency will, I have no doubt, see the propriety of those officers withdrawing from the army, at least during the time the question respecting their exchange remains in discussion: a measure which I trust after this letter is made known to them, they will not hesitate to adopt as the only means of preventing that severity of treatment, which I shall, however reluctantly, be compelled to observe towards them, should the fortune of war again place them at my disposal.

* Can. Arch., C. 689, p. 104.

BOOK XXIX.

THE WAR OF 1812;

FROM THE DEFEAT OF PROCTER'S FORCE TO THE CLOSE
OF THE CAMPAIGN OF 1813;

THE NAVAL ACTIONS TO THE CLOSE OF 1813,

OPERATIONS ON THE ATLANTIC COAST.

CHAPTER I.

In the narrative of the operations of the extreme right division I have anticipated the date of the events as they affected the central part of Canada. It appeared to me the only way by which the record could be understood. I now turn to the operations which took place in the Niagara district, which have been recounted to Boerstler's surrender at Beaver dams on the 24th of June.

In July, de Rottenburg assumed command, holding his headquarters at Twelve Mile Creek, St. Catharines. Changes had taken place in the United States force. Dearborn, broken in health, and chagrined by failure, had retired from active duty. Owing to general Lewis, who succeeded him, being absent in Sackett's harbour, general Boyd assumed command of the Niagara district. This force included 4,000 troops cantoned along the frontier.

Among the most distinguished militia officers of that time was lieutenant-colonel Thomas Clark, of the 2nd Lincoln militia. By birth a Scotchman, he had been many years in Canada. When the war broke out he was a member of the firm of Street and Clark, engaged in the Indian trade, in which life he had much experience. This career had developed his natural qualities of endurance, the power of judging promptly and correctly of what was required, with the virtues of patience and perseverance. His courage was undaunted. He early attracted the confidence of the general in command by his gallantry and enterprise. On the night of the 4th of July, 1813, while the troops were celebrating the 4th of July, Clark, with 40 of the militia, crossed the river from Chippewa to fort Schlosser. They landed unmolested, surprised the guard, and carried the fort. They returned in safety with 15 prisoners, a brass 6-pdr., several stands of arms, and a quantity of flour and pork.

It was the forerunner of a more serious attack, equally successful, but attended with the melancholy death of the leader, colonel Cecil Bisshopp, who died shortly afterwards in Canada from his wounds. He was the son of sir Cecil Bisshopp, afterwards lord de la Zouche, of Parkham, Surrey. He had entered the guards at sixteen. From his family interest he had represented in the imperial parliament Newport, Isle of Wight, and having been attached to the embassy of admiral sir Borlase Warren, had passed a year at St. Petersburg. Subsequently he saw service in Flanders and the peninsula. In 1812 he arrived in Canada, and was sent to the Niagara frontier as inspecting field officer of militia. His winning manners, his devotion to duty, his fearless character, his buoyancy of nature gained for him universal regard. His position in the militia brought him into intimate relations with the native Canadians defending their land, *les enfants du sol*. He quickly understood the treatment necessary to develop the traditional qualities of their race to be good soldiers, willing to accept discipline, and to follow to the death those to whom they gave their confidence. He won their fullest respect and affection: and no one, excepting Brock, was more mourned, for he was universally beloved. His body lies in the churchyard of Lundy's Lane, that resting place of so many gallant spirits, where a monument has been raised to his memory by his sisters.

At two o'clock on the morning of the 11th of July Bisshopp led an attack against Black Rock. His force consisted of a detachment of royal artillery, 40 of the 8th, 100 of the 41st, 40 of the 49th, the latter commanded by FitzGibbon, who on such duty was ubiquitous, with 40 of the 2nd and 3rd Lincoln militia, amounting in the whole to 240 men. Clark, of the Lincoln militia, was second in command. On landing half an hour before daylight, they advanced resolutely to the attack. The 200 United States militia in charge of the post rapidly fled. The British found eight guns in the batteries. As they could not all be brought away, two 12-pdrs. and two 6-pdrs. were spiked, and one 12-pdr. and two 9-pdrs. destroyed.

The troops burned the block-houses, barracks, and the navy yard, and one large schooner with 177 muskets and some ammunition. They carried away 123 barrels of salt, 46 barrels of flour, molasses, blankets, with many stores and articles of war, likewise seven large *bateaux* and a scow. Private property was left untouched.*

Unfortunately the detachment remained too long in placing on the *bateaux* the stores they had seized. General Porter, in command at Black Rock, who lived in the neighbourhood, on the alarm being given, hurried to Buffalo, and gathered reinforcements, regulars, militia, and Indians. They came upon the ground before the embarkation was completed, and poured a destructive fire from the woods upon Bisshopp's force, while taking to their boats. Bisshopp, while prominently directing the operations, received three mortal wounds. The loss from this attack was 15 killed, including Bisshopp, who died from his wounds, and 15 officers and men wounded. The British were unable to bring off all their killed and wounded, leaving on the ground 8 of the former and 6 of the latter, including captain Saunders of the 41st, severely wounded. Clark was also wounded. Otherwise the purpose designed was effected, for the British succeeded in carrying away the stores they had taken.

Chauncey had remained at Sackett's harbour, waiting the completion of the new ship "General Pyke," described when launched as equal to a British 36 gun frigate. She was armed with 28 long 24-pdrs., with a crew of 400 men sent from the blockaded ports of the seaboard. His fleet consisted of 14 vessels, mounting 114 guns, with 1,193 seamen. At this date Yeo's ships were six in number, with 92 guns and 717 men. Chauncey put to sea on the 26th of July and sailed to Burlington heights with the design of attacking the post, important from the stores and provisions it contained. It was garrisoned by a detachment of 150 rank and file, under major Maule. Chauncey received at Niagara a further force of 300 regulars under lieutenant-colonel Scott. On the

* Buffalo *Gazette*, 13th July, 1813.

morning of the 30th he landed the detachment, strengthened by marines and sailors. Whatever the cause, no attempt was made against the intrenchment. The sole result of the expedition was the seizure of some non-combattant settlers in the neighbourhood, and, carrying them away as prisoners.

Having from this source obtained information that the troops in garrison at York (Toronto) had been lately sent to reinforce Burlington heights, Chauncey determined to revisit that place. No opposition was expected, for the militia were under parole from the last attack, and the place was without troops. There was, however, the advantage of describing in the United States papers that the capital of Upper Canada had been taken, the landing made without opposition, the garrison made prisoners, and the guns, and public stores removed or destroyed. About four on the afternoon of the 31st of July, the vessels arrived within the harbour, and the troops disembarked. As the place was without troops, they could act without restraint. They broke open the gaol, and set free the prisoners, among whom were three soldiers confined on the charge of felony. They then visited the hospital, and exacted a parole from the sick men lying in their beds. They visited the stores of the inhabitants, and seized of their property what barrels of flour and provisions they could find, amounting to several hundreds, described by them as public stores. About 11 o'clock they re-embarked. On the following day, Sunday, they again landed, and three armed boats were despatched up the Don. There they discovered five pieces of cannon and eleven boats, with some shot and stores. Laden with what they obtained, the vessels sailed for Niagara.

Yeo had left Kingston on the 31st of July with supplies for Burlington heights, and on September the 4th the two fleets met. Chauncey fought with his usual caution, avoiding an action at close quarters, but Yeo was not to be out-maneuvred. About 2 o'clock, two of the schooners, the "Hamilton" and the "Scourge," mounting together 19 guns, were struck by a squall and sunk. All the crews were lost, except 16, saved by the British. Chauncey was determined

to fight the action his own way, trusting to his long guns ; but Yeo sailed his ships to out-maneuvre him.

Though the stronger, Chauncey deemed it prudent to retire within the river Niagara, under the guns of the fort. This movement, however, was not accomplished without loss, for two of his schooners, the "Julia" and the "Growler," were cut off and captured, each containing one long 12-pdr. and 40 men. Yeo's pithy remark explains Chauncey's subsequent movements : "The enemy have disappeared, I therefore suppose that they have gone to Sacket's harbour to refit."

Another action took place on the 11th of September. Yeo lay off the Genesee river becalmed. Chauncey, with a partial wind, succeeded in getting in range with his long 24 and 32-pdrs. Six guns only of the British ships could reach the United States vessels. A breeze springing up, Yeo started out, so that Chauncey could not keep the weather gage, but would be forced to fight on equal terms. Chauncey, however, avoided the conflict, although he had 11 ships. He had brought out with him on this occasion the schooner "Elizabeth," and a new schooner, the "Sylph."

Another engagement took place on the 28th of September. Chauncey again avoided coming to close quarters. A shot from the "General Pyke" carried away the "Wolfe's" main top mast, which in its fall brought down the mizzen top. The action was inconclusive. The "General Pyke," by the bursting of a gun, suffered severe loss, reported at upwards of 60 killed and wounded. Chauncey would fight out his actions only when the advantage he possessed in his guns could prevail. It was Yeo's endeavour to bring him to close quarters. From the effort of each commander to follow his own tactics, the action led to no important results ; for Yeo was not content to see his ships shattered by the fire of guns of greater reach, while Chauncey's ships remained uninjured.

In July two vessels manned with 50 sailors, and about 80 soldiers, were sent from Sackett's harbour on a cruise to cut off vessels carrying supplies. Concealing themselves amid the Thousand islands, on the 19th they surprised a British

convoy of 15 *bateaux*, laden with 230 barrels of pork, 300 bags of biscuits and some ammunition, bound from Montreal to Kingston, under the escort of a small gun-boat with one gun. The prisoners taken were 67 in number, chiefly Canadian boatmen.

When the intelligence reached Kingston, it was resolved to intercept these vessels before they arrived at Sackett's harbour. Three gun-boats were sent upon the duty with a detachment of the 100th regiment, under the command of lieutenant Scott, R.N. Intelligence was obtained that the gun-boats had ascended Goose creek on the south shore, some 12 miles below Gananoque. The evening was so far advanced on their arrival, that it was deemed advisable to delay the attack until the morning. During the night, the force was strengthened by an additional gun-boat, with a detachment of the 41st under major Friend, who took command.

The ascent of the river commenced at three o'clock, so that the attack could be made at dawn. The United States gun-boats had not remained idle. They had gone up the creek as far as it was practicable, where the width was so narrow that oars could not be used, and where it was not possible to turn to bring the guns to bear. Farther progress was also impeded by large trees felled across the stream. An attempt was made to remove these impediments, when the guns of the sloops were brought up to bear upon the assailants. They were at the same time subjected to a musketry fire from a thick wood on the left bank. A log fort had also been erected, on which a gun had been placed, and the position was stronger, from the difficulty of assaulting it.

A detachment was landed on the right bank, but it was found that attack from that side was not practicable. An attempt was made to land on the left bank, but from the swampy character of the ground, no landing place could be found. The leading boat was received by so warm a fire that the men jumped into the river, and, carrying their arms and ammunition over their heads, landed. The United States force retired to the log house, from which they rapidly fired.

No gun could be brought to bear upon it, the only means by which it could be successfully attacked. It became plain to Friend that he could make no impression upon its defenders; he therefore re-embarked the troops and abandoned further effort. The British loss was one gunner and three of the 41st killed, a midshipman, 12 of the land force, and 4 seamen wounded. Among those mortally wounded was captain Milnes, an aide-de-camp of the governor-general, who had been sent to obtain information about the expedition; his injuries were so serious that he died a few days afterwards. If not the son of the late governor, he was a near relation. His fate was much deplored, owing to his youth and amiability of character.

In July, de Rottenburg, notwithstanding the possession of fort George by the United States, had established his headquarters at Saint David's, within seven miles, while his advance posts were within four miles of the fort. His force was suffering severely from fever and ague. The United States forces were also visited by this depressing malady. Of a nominal force of between 6,000 and 7,000 men, 1,100 were on the sick list, with some 1,600 on furlough, leaving for duty upwards of 3,800 men. The total British force, including the many sick, was 2,100. About the 20th of August sir George Prevost arrived at the British encampment, and it was determined to make a demonstration against fort George, on the possibility of some opening for attack presenting itself. At daybreak of the 24th the advance was made, and the United States pickets were driven within the fort. Between 50 and 60 of them were taken. On the British side a captain of the 49th, with 10 men, who had advanced beyond the main force and were unable to rejoin it, became prisoners. Prevost returned to Kingston early in September. De Rottenburg's force had amounted to 2,290 fit for duty. It is difficult to understand Prevost's object in ordering this "demonstration," as it is called. It led to nothing. There was no visible object to be attained, except to give to himself the appearance of actively directing the field operations. At the time

no explanation of its design was offered, and it has remained to this day unexplained and inexplicable. De Rottenburg returned with the governor-general to Kingston, and Vincent again assumed command.

In a few days the news of Barclay's defeat on lake Erie reached Kingston, to be followed by the appearance of Procter with what was left of his force at Ancaster. Vincent at once withdrew his outposts, and retired to Burlington heights, expecting a vigorous attack from Harrison. But none was made. The theory of the United States operations at this date, was not to take Canada by conquest, but to starve out the western country by the non-receipt of provisions, which there were no means of forwarding. The Saint Lawrence was the highway by which stores and food reached Kingston and Niagara. It sounds strange to-day to read, that the troops were fed upon Irish imported pork. A supply of ship biscuit baked at Portsmouth was constantly shipped to Canada, and served out as bread ; for ovens could not always be built. Large supplies of cattle were received across the line from Vermont, for which payment was made in specie. In the depressed condition of the United States, from the war into which politicians had plunged the country, this "hard" money was most welcome. In Lower Canada there was no dread of famine. The provisions landed at Quebec were, by John Molson's newly constructed steamers, carried to Montreal, and the city was a distributing point both for the provisions so forwarded, and for the cattle received from across the boundary. The difficulty was in ascending the Saint Lawrence, the southern bank of which west of lake Saint Francis, lies in New York. Generally speaking, there was little danger in reaching Williamstown, but from that spot there was risk of surprise. Even on lake Saint Francis, it was not always possible to send convoys, of strength sufficient to assure the safety of the *bateaux*, as was seen in the fact of those lately taken. There was a constant risk of surprise by the vessels from Sackett's harbour, as the commanders watched their opportunity to sally forth, in the strength which circumstances suggested.

The policy of the United States government was to attack the central Saint Lawrence, and, holding a position there in force, to make ascent of the river impossible. So that Kingston and Burlington heights, above all, Michillimackinac, would be obliged to surrender from want of food. This was the danger against which the province had now to contend.

The movement from Niagara of the United States troops, concentrated for the expedition which was to effect this purpose, took place at the end of September. They suffered much from the severe weather in their transit by the lakes. After a short stay at Oswego, they arrived at Henderson's bay, in the neighbourhood of Sackett's harbour, on the 13th of October. It was evident to de Rottenburg, that this march portended an attack against some portion of central Canada, and accordingly on the 2nd of October he marched for Kingston with the 104th and 49th from Burlington heights and York. Two flank companies of the de Watteville regiment, having left York (Toronto) by water, were intercepted by Chauncey's ships and made prisoners.

During the summer the de Meuron and de Watteville regiments had arrived. The former reached Halifax on the 6th and 8th of July, and was immediately despatched to Quebec, where it arrived on the 25th. The regiment consisted of 21 officers, 54 sergeants and 1,023 rank and file, with 28 women and their children. The de Watteville, of approximately the same strength, arrived earlier, and was at Cap Santé in the Saint Lawrence on the 10th of June. They were both sent to the front.

Wilkinson, appointed to chief command at Sackett's harbour, arrived there on the 20th of August, superseding Lewis, who had hitherto been the senior officer. His first proceeding was to summon a council of war. The plan adopted was to assemble the troops at that spot, and while making a feint upon Kingston obtain a commanding position so as to prevent supplies being sent westward, and thus force the British garrisons from fear of starvation, without artillery, to abandon the position they held, or surrender. The Saint

Lawrence was to be swept of all armed vessels, and, the descent being accomplished, Wilkinson would be joined by Hampton's force at the mouth of the Châteauguay, in lake Saint Louis. Together they would advance by Lachine, and take Montreal. Orders were given to provide transport for 7,000 men, 40 field-pieces and 20 heavy guns to be in readiness by the 15th of September. We shall see how the Montreal scheme of conquest terminated.

Awaiting the preparations, Wilkinson went to Niagara. Boyd was in command, confining himself to defensive movements. Wilkinson was taken ill with fever at fort George, but returned to Sackett's harbour on the 2nd of October. He there found Armstrong, the secretary of war, who had established the war department at that place, personally to triumph in the successful operations which had been planned. According to United States writers, there was no accord between Armstrong and Wilkinson. Wilkinson afterwards stated, that he informed Armstrong that he was in the worst of health, and incapable of conducting the army; but that the secretary would not listen to his representations, for there was no one to take his place.

There was great diversity of opinion as to the direction of an attack, whether against Kingston or Montreal. Finally, that against Kingston was rejected, and it was determined to descend the river, with Montreal as the objective point. Grave doubts also arose if Montreal could be reached. The opinion, however, prevailed that it would be a disgrace to do nothing; consequently, if the attack on Montreal was not feasible, the force would seize a position within Canadian territory, there make a cantonment of 10,000 men, remain there during the winter, and from this base commence active operations in the ensuing spring.

All the troops available in the neighbourhood of lake Ontario were concentrated at Sackett's harbour. They numbered little short of 8,000 men; the *bateaux* for their transport were collected at Henderson's bay, near Sackett's harbour. The army was divided into four brigades under

Generals Boyd, Covington, Swartout, and Brown. Lewis was in command of the two first brigades. The second division was to be placed under Hampton, when the junction had been made. There was a reserve under Macomb. Moses Porter was at the head of the artillery.

The embarkation took place on the 17th of October, but the weather was stormy, and it was not until the 3rd of November that the troops met at Grenadier island, at the entrance proper of the river. On the 5th of November the expedition, consisting of 300 boats, commenced the descent. That day they advanced 40 miles. The route lay among the Thousand islands, by which they were protected from the wind. They passed Brockville, and encamped some six miles above Prescott. The next day, the 7th of November, the difficulty was to escape the guns of Prescott. The boats made the journey by night, close to the United States shore, while the men marched by land. They again halted, 20 miles below Ogdensburg.

At this date Wilkinson had no thought of failure, and, impressed with the views held by the Washington politicians of the certainty of the conquest of Canada, issued a proclamation to the "inhabitants thereof," from Ogdensburg, dated the 6th of November. With Hull's example before him, Wilkinson avoided his errors. What he wrote was but a few sentences, and, from his standing-point, simple and unobjectionable. He told those who remained "quiet at home should victory incline to the American standard," that they would be protected. Those taken in arms would be treated as avowed enemies. He added, "To menace is unmanly, to seduce dishonourable, yet it is just and humane to place these alternatives before you."

The news of the descent of the river was immediately known at Kingston, and vigorous measures were taken to oppose it. Eight gun-boats, with a military force of 900 strong, and three field-pieces, followed the flotilla, under the command of captain Mulcaster, of the navy. When it could prove effective, artillery and musketry were discharged from

the bank upon Wilkinson's force. Suffering some loss by this interference with their passage down the river, and to sweep away any hostile land force, Macomb was landed on the north bank with 300 cavalry. On the 8th of November more troops were landed, while the boats kept pace with the march of the detachments on the shore. On the 10th the boats descended the Longue Sault rapid. While Brown marched in advance to remove all opposition which might be offered, Boyd with the remaining column was left to protect the rear.

The British force had landed at point Iroquois. On leaving Kingston, it consisted of eight companies of the 49th and nine of the 89th, not one of which was at its full strength, with two 6-pdrs. and some artillery, under the command of lieutenant-colonel Morrison ; the total numbering 560 of all ranks. On the 8th, the boats reached fort Wellington at Prescott, where colonel Pearson was in command. Pearson joined the expedition with two flank companies of the 49th, and a detachment of the Canadian Fencibles, and Voltigeurs, some militia artillery with a 6-pdr., and six provincial dragoons, the total number being 240. The entire force now numbered 800 men, and some 30 Indians, under lieutenant Anderson, who had accompanied the expedition from Kingston. Lieutenant-colonel Harvey was also with the force as adjutant-general. His courage and dash were well known to the men, and his presence could not but give them courage and determination. It was no secret that his faith lay in the British bayonet, and those in the ranks felt, that the most stern and unflinching effort would be called for in the coming contest.

On the 9th there had been a skirmish with a picket under major Forsythe, in which that officer and one man were wounded. By this time Boyd's force was entirely disunited from the main body ; it consisted of about 2,500 men of all arms, supported by six field-pieces. Brown was far in advance on his march to Cornwall, and his column had been reinforced by Macomb, with whom was colonel Winfield Scott.

On the 10th, the British gun-boats with a force of land troops, proceeded to Hamilton, a town in the United States, approximately opposite the western line of the township of Williamstown. Property of considerable amount, belonging to some merchants of Kingston, that had been seized during its transit down the river, was stored here with some prisoners taken with it. No resistance was offered to the landing of the expedition. An agreement was entered into on the part of the inhabitants by two of the citizens of this place, Ogden and Richards, with Mulcaster and Morrison, according to the conditions of which, the persons and property of the town were spared, the promise being given on "their word and honour" to deliver in Canada all the public property of the United States, should any be found; also, the captured property which belonged to the British government and to citizens of Canada, with the captured boats before the town, and those of the United States marine.

It was laid down clearly that non-compliance with these conditions should be followed by the destruction of the town.

It may be here mentioned, that this convention was disgracefully violated. The United States government treated it as non-existent. As if it involved no question of personal honour, orders were given for the sale of the property, the proceeds to inure to the United States. On the news reaching Cornwall, a plan was formed for its forcible seizure. Captain Sherwood of the quarter-master-general's department, with a subaltern and a detachment of 20 marines and 10 men of the embodied militia under captain Kerr, on the night of the 6th of February, 1814, crossed the river to Madrid on Grass river, 14 miles from Hamilton, where the merchandise had been stored, and pressing boats for the purpose, brought back across the river all they could find of the plundered property. The inhabitants made no resistance, and were subjected to no molestation. The effort was confined to obtaining the merchandise previously seized, the restitution of which, although solemnly promised, had been dishonestly evaded.

On the night of the 10th of November, the flotilla with

Wilkinson had remained stationary some 12 to 14 miles below, not far from Chrystler's, to await the report from Brown, sent easterly to clear the route by the side of the Longue Sault rapids. At half-past ten the report arrived that all was clear, and, as he was giving orders to run the rapids, Boyd sent word that the British column was advancing against him. Wilkinson was in his bed, ill; his second in command, Lewis, was equally sick. It is inconceivable that Wilkinson did not see the opportunity of crushing the British force opposed to him. He had only to reunite Boyd and Brown's forces to bring 7,000 men to the attack of a column, which did not muster much more than as many hundreds. No doubt Wilkinson conceived that Boyd's force could give a good account of itself, and his whole movement shews that he held the key to his expedition to be his junction with Hampton at the mouth of the Châteauguay, to make the forward movement of a march upon Montreal. He therefore held it expedient to continue the descent of the river, and, owing to the advanced season, to carry out as rapidly as possible the main project for which he was present. It is certainly a fair supposition, that if Boyd had not been beaten, his strategy would to-day have been accepted as sound. Owing to the failure and defeat of Boyd, Wilkinson has been severely judged. Much of the disaster of the campaign may be attributed to the complication involved in the plan, for the reason that the failure of any one of its dependent parts would make the remaining combinations inoperative.

Boyd, seeing that the British force was closely following him, resolved not to refuse the battle. It was the 11th of November.*

* He had landed at what is still known as Cook's point, some half-mile below the monument lately erected. The old house of that day has been changed into a modern dwelling. It was then owned by Mr. Elias Cook, a U.E. loyalist, who fought in the British ranks. His son, Mr. Michael Cook, is the one contemporary representative of that memorable day. Born in 1811, he was two years old at the time of the action. Now in his 85th year, he is as active and energetic as many men thirty years his junior. The house was taken in possession by the United States troops, and was the target of the British artillery. The family

Morrison, when he arrived at Chrystler's, had formed the opinion, that its neighbourhood presented a good position for a stand to be made. It was open ground with a depression containing a small creek discharging into the river, now forming lots 12 and 13 on the 1st concession of Williamsburg. Drawings which represent the action shew a deep gully, behind which the United States force was posted. This description gives a false idea of the spot. The depression through which the stream passes is about 350 feet wide at the top, gradually descending to a depth of 20 feet in the centre. At the time of the action the ground was cleared, and, although differently fenced, presented much the same features as it does to-day.

A house then stood in lot 11 belonging to the grandfather of the occupant of the present structure, Mr. John Bowke. The original building has long since passed away, but the modern house is built on the site of the old one. There was also a house on the east of lot No. 12, not now existent.

Morrison formed his line in the open fields, on a front of about 700 yards. On his right, and resting on the river, he posted three companies of the 89th *en échelon*, with a 6-pdr. His centre was composed of the companies of the 49th, and the few Canadian Fencibles with a 6-pdr. The remaining companies of the 49th and 89th were on the left with a 6-pdr., somewhat in the rear, as if to act as a reserve, and were protected on their left by a pine wood. The woods were occupied by the few Voltigeurs and Indians.

Boyd's advance, with his force formed in three columns, was designed to enfilade the British right with his artillery; but skirmishers were sent out by Morrison, upon which the United States 21st regiment was advanced to drive them back. They consisted of 623 rank and file, supported by artillery, but the charge upon them by the British right was so spirited that it drove this force back in disorder, over the fences and through

retains a 24-pdr. shot which struck the house. Painted and adorned, it is exhibited as a relic. In the years succeeding the event many such mementoes were found; but people were indifferent to them, and they have disappeared. From what I was told this 24-pdr. shot is the only example of the kind known.

the low ground. The action became general at half-past two, when Covington's brigade, with four guns, assaulted the left. The 49th and 89th, deployed *en échelon*, the formation being made under a heavy but ill-directed fire. The steady fire of this line, by companies, threw the brigade into confusion, when the order was given for the 49th to charge. In consequence of the advance of a body of cavalry on the right, forming for a charge, this forward movement was checked, lest the cavalry should pass through the troops, gain their rear, and repeat the attack. The cavalry, however, were so warmly received by captain Barnes with three companies of the 89th, and by the good service of a 6-pdr., that they made no attempt at a charge, and quickly retired. The 89th followed up their advantage by a charge, and captured the 6-pdr. It was at this time that brigadier Covington received a mortal wound, and the knowledge of the fact threw his brigade into confusion.

A reinforcement arrived on the field in the person of colonel Upham and his column. It was, however, too late to be of avail ; the United States had lost ground in all directions, and at half-past four they gave way. Their light infantry made an attempt to cover the retreat, but lieutenant-colonel Pearson drove them likewise from the field.

There was no attempt at pursuit, for the British were without cavalry, and there was no reserve. Moreover, the men were worn out with fatigue. The victorious troops bivouacked on the ground for the night, under the command of lieutenant-colonel Plenderleath. The loss of the British was : killed, 3 officers, captain Nairne, lieutenants Lorimer and Armstrong of the 49th, and 21 men ; wounded, 8 officers, 137 wounded, with 12 missing : 181 men, out of a total of 800. The official account of the United States loss gave : killed, 3 officers, 99 rank and file ; wounded, 16 officers, 237 rank and file : total, 339. Wilkinson reported none as missing, whereas the despatch of Morrison tells us that 100 prisoners were taken, and, that when he wrote, they were hourly being brought in.

Boyd made his way to the boats, embarked his force, and descended the river four miles, where he landed. On the following day, he passed down the rapids to the neighbourhood of Cornwall. Wilkinson, with Brown's detachment, was at the foot of the Longue Sault. In the course of the afternoon, colonel Atkinson, on the staff of major-general Hampton's division, arrived with a despatch dated Four Corners (Châteauguay), the 8th of November, informing him of his retreat to lake Champlain, and that the roads were obstructed with *abattis*.

Wilkinson's design in descending the Saint Lawrence had been conducted with the view of effecting a junction with Hampton, with their united forces land on île Perrot, and advance to the attack of Montreal. It was the prime object of the campaign. Now all chance of it was dispelled. Hampton had been driven back, and had retreated to his starting-point, Plattsburg. Thus Wilkinson found himself in the dilemma of alone undertaking the movement with one of his divisions, having been beaten at Chrystler's at the beginning of winter, for which no preparation had been made, and under circumstances of depression he had never considered possible.

In the meantime, Morrison advanced with his force, now reduced to 620 men, to harass his retreating opponent. Wilkinson undoubtedly believed that the British force was much stronger than it was. It was necessary to determine upon the policy to be pursued. A council of war was held, and it was resolved, that the attack on Montreal should be abandoned for the present season, and that the army should immediately cross to the United States shore, and take up winter quarters. The dragoons and artillery were at once passed to the opposite side. On the following day they were followed by the infantry. The troops descended 15 miles to the mouth of the Salmon river, which is in Canadian territory, and ascended the river to French Mills, a settlement on the right bank, a short distance from the point where the river is met by the international boundary line. Here the boats and *bateaux* were placed in safety, an intrenchment was

formed with *abattis*, and log huts were built for the men. The desire for the time was to obtain a resting place, and guard against surprise.

Thus the attempted invasion had entirely failed. Wilkinson placed his headquarters at the village of Malone, about 15 miles south of French Mills. His force remained in their position until the night of the 12th of February, when he received orders to burn his gun-boats and *bateaux*, then frozen in the ice. The huts, block-houses, and barracks were also to be given to the flames. The position of French Mills was then abandoned. A division of the force was ordered to Sackett's harbour ; the remainder marched to Plattsburg and Burlington, Wilkinson accompanying this division.

The movement became known in Canada. A column under the command of colonel Scott, of the 103rd, with detachments from that regiment, the 89th, and the Canadian Fencibles, with a picket of light cavalry, crossed over the ice of lake Saint Francis to the Salmon river. They followed up Wilkinson's rear guard, and took 100 sleigh loads of stores and provisions, and ascended the river without interference to Malone. They returned by the route of Four Corners and the Châteauguay. Scott lost 200 men by desertion. This frequent desertion, it is painful to write, was one of the lamentable features of the war. There was no period in the campaign when it did not take place. But the treatment of the British soldier in those days was so harsh and aggressive, that in modern times we read with wonder of its severity. To no limited extent, desertion from a regiment will always depend on the mode of discipline enforced by the commanding officer, and much on the character and conduct of the adjutant. However strictly discipline may be maintained, it can always be just and merciful, and thought be given to the well-being of the men. On the other hand, it can be harsh, capricious, merciless, and depressing. In this war some regiments did not lose a man. With others any opportunity given for desertion was certain to entail its frequency.

CHRYSTLER'S.*

The scene of the action is reached by a pleasant drive along the river approximately equidistant from Aultsville and Morrisburg ; about $4\frac{1}{2}$ miles. A monument in the form of an obelisk has been erected on the site occupied by the British camp after the action. When visited by me in July, 1895, the surrounding ground of the small lot acquired by the government had not been put in order. The monument occupies a commanding position at Chrystler's point, on lot 12, not far from the river bank. It can be plainly seen by vessels in the descent and ascent of the river, and is also visible on the length of a mile from the Grand Trunk railway, between 200 and 300 rods distant.

At some slight distance to the east, from the spot where the action was fought was the residence of Mrs. Manny Castleman. The house was not a tavern, but passing travellers were received by her and entertained ; a convenience on both sides, for Mrs. Castleman's hospitality was not gratuitous. It was at this spot, some of the United States officers found quarters before the action, paying for their good cheer to Mrs. Castleman's satisfaction, leaving behind them a good reputation, to this day remembered in the traditions of the neighbourhood. The old house furnished the basis of the present building, the original structure having been enlarged and repaired. The barn, which was struck by some stray cannon shot is also standing.

Mr. John Brydges, who was good enough to drive me to the ground and point out the features of the site, has been sixty years in the neighbourhood, and, as a boy, heard many of the traditions of the day. Among other recorded recollections is, one that the British force landed west of Chrystler's point.

A memorial likewise remains close to the road west of the monument : the chimney of colonel Chrystler's house, all, that time has spared of the building where Morrison wrote his despatch.

* Some writers have spelt Chrystler's without the "z" as Chrysler's. My authority for the orthography I follow, is the despatch of colonel Morrison, who commanded the British force on the 11th of November, dated "Chrystler's, Williamsburg, Novr. 12th, 1813." It is given by James, Vol. I., p. 467, and such is the form always followed by that careful writer. It is to be presumed that Morrison, staying at the house of colonel Chrystler, learned from his host the mode in which his name was written.

Colonel Powell, adjutant-general of militia, has been good enough, at my request, to examine with regard to the clasp of the Canadian medal granted by her majesty in 1847 ; it bears the inscription "Chrystler's Farm." The general order issued at Montreal on the 25th of August [*Canada Gazette*, 28th August, p. 4719], in announcing the grant of her majesty, spells the name as Chrysler's ; evidently an act of inattention and want of proper care, for it is not followed on the clasp. In that case the word "farm" is appended, also so given in the general order ; an addition not warranted by Morrison's despatch, which bears the date simply "Chrystler's." Accordingly I have felt myself justified in rejecting the word "farm" in my nomenclature. I may add, "Chrystler's" is the spelling recognised by the Canadian militia department.

CHAPTER II.

Previous to entering upon the relation of Hampton's campaign, it is necessary to narrate the events which took place in Lower Canada during the months prior to that event. Lake Champlain and its approaches will always present the most feasible line of advance to enter eastern Canada, as it offers a route either to New York, or to New England. Ile-aux-Noix, even in the French wars, was held to be a place of importance. In the days of Haldimand it had been placed in a condition of defence, and was regarded as the spot from which a hostile expedition could be despatched. Sir James Craig had seen the advantage of its position. In 1813 it was in good repair, and three gun-boats brought from Quebec were stationed there; but they were without crews. The fort was under the command of colonel George Taylor, inspecting field officer of militia. Like that of many officers of that date, his rank was local. In the army he was a captain in the 100th. The garrison consisted of detachments of the 13th and 100th, with a party of the Royal artillery.

There was an United States force on lake Champlain of some strength, with a large land force commanded by brigadier-generals Smith and Clarke. Reports had reached Taylor, that a combined attack would be made on his position, and he guarded against it by equipping the gun-boats, and manning them from the men off the garrison. Three artillermen were placed on each boat to direct the gun service.

On the 3rd of June, early in the morning, a sail was observed distant about two leagues above the island. Taylor resolved to meet the vessel on the water, and sailed out with his craft. As he doubled the point above the fort, a second vessel, a consort, was discovered. Taylor, however, continued

on his course, and the vessels on their side approached the British. Owing to the direction of the channel, and its narrowness, the United States vessels could not bring their broadsides to bear, and, as one was following the other, the fire of the second was much impeded. They were thus, as it were, defenceless, exposed to the fire of the British boats, which continued to pour in grape and round shot. Taylor also landed on each side of the river some of the crew of the *bateaux* and row-boats, that accompanied the gun-boats, who kept up a destructive musketry fire. The contest lasted three hours and a half, when further resistance proving unavailing, both boats surrendered. One of the vessels was so injured, as to be run aground to prevent her sinking; she was, however, subsequently recovered. They were the gun-boats "Growler" and "Eagle," each of 11 guns, 18-pdrs. and 6-pdrs., with a crew of 55 men. The loss of the United States vessels was one killed and eight wounded. The British loss, the number of those engaged being 108 men, was three severely wounded. The guns of these gun-boats were those of the "Alert," a British sloop of war of 20 guns and 86 men, taken by the "Essex," of 46 guns and 328 men, on the 13th of August, 1812; the first naval action of the war. The vessels were re-named the "Shannon" and the "Broke," after the taking of the "Chesapeake" on the 1st of June. But these names were disallowed by the admiralty. The boats entered the British navy as the "Chubb" and "Tench."

The object of this demonstration by the gun-boats has never been explained. It is not improbable that the absence of seamen at île-aux-Noix was known, and it was thought possible to create terror by their appearance, with the determination to profit by any favourable circumstances that might arise. If this theory be admitted, the attack by the British gun-boats must have been a matter of wonder. While the capture of these vessels was of the greatest advantage to the British, their loss was a proportionate mortification to the United States. The strength these acquisitions gave to the naval force suggested further enterprise, but the deficiency

lay in the want of seamen. At this date the brig of war, the "Wasp," was at Quebec, and the commander, captain Everard, and his crew volunteered for service on lake Champlain. The vessels, accordingly, in a short time were efficiently manned, and were placed under the command of captain Pring, sent from lake Ontario by sir John Yeo.

In view of entering Lower Canada from lake Champlain in force, a large body of men had been assembled, and barracks constructed at Burlington, Plattsburg, Champlain, and Swanton, on Missisquoi bay, at which places, also, a large quantity of stores had been collected. It was therefore held expedient to fit out an expedition at île-aux-Noix with the design of destroying these several stations. At the same time, it was held that the expedition would assist the efforts which were being directed against Upper Canada.

On the 29th of July, the five gun-boats, fully equipped, under the command of the senior officer, captain Everard, received on board 900 men, composed of detachments of the 13th, 100th and 103rd, in two divisions under lieutenant-colonels Taylor and Smelt, with a small force of artillery. A body of the embodied militia were present in the *bateaux* accompanying the expedition. The whole was under the command of colonel John Murray, inspecting field officer.

On the 31st the force arrived at Plattsburg. The United States troops having retired as the ships came in sight, a landing was made without opposition. Murray took possession of all the war stores in the arsenal, and destroyed those he could not remove and embark. The arsenal, the barracks, and the storehouses, indeed, all the public buildings, were burned with their contents. The troops afterwards proceeded to a cantonment, three miles distant, on the Saranac, and there burned the barracks lately constructed, and all the public buildings between that place and Plattsburg.

During the time the troops were thus engaged, on the 22nd of August, Everard and Pring, with three gun-boats crossed over to Burlington. Hampton lay here in camp with 4,000 men. Unopposed, four vessels were seized and destroyed in

front of the town. They were two sloops, one armed with 13 and the other with 11 guns, ready for sea, a third fitted out with guns on board and two armed schooners. These vessels were protected by a ten gun battery, by two scows adapted as floating batteries, and by several field-pieces on shore; but no resistance was offered.

The gun-boats returned to Plattsburg. Swanton on Missisquoi bay, situate in Vermont, was next visited. The barracks and public stores were burned, together with the *bateaux* at the wharf.

On the 3rd of August a detachment of the 100th, under the command of captain Elliot, landed at Champlain, and destroyed two block-houses and the commissaries' stores established there.

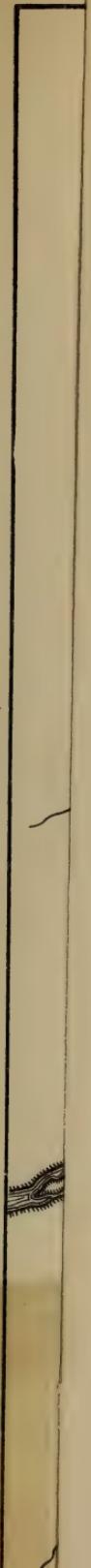
Shortly after this service was performed, captain Everard, with his crew, returned to Quebec. Captain Pring was left in charge at île-aux-Noix with the three gun-boats. Commodore Macdonough, who while captain Everard was present, and the British force consisted of the five boats manned by blue-jackets, had remained in port, now appeared on the lake. On the 9th, he wrote to the secretary of the navy, that he had sailed with an intention of falling in with the enemy, having heard that they were at anchor, "but they weighed and stood to the north, if not acknowledging our ascendancy on the lake, evincing an unwillingness to determine it."

Hampton, being placed in command on lake Champlain, and having received orders to co-operate with Wilkinson in his descent of the Saint Lawrence towards September, crossed lake Champlain and occupied Cumberland Head, near Plattsburgh. On the 20th he entered Canada with upwards of 5,000 men. His advance guard surprised a small picket at Odelltown, within the Canadian frontier. The road from this place to l'Acadie, east of Saint John's, for upwards of five leagues ran through a swampy country. It had been rendered impracticable the preceding year by the *abattis* constructed by de Salaberry, and had been otherwise destroyed. It was now guarded by a detachment of the

"frontier light infantry," under captain Mailloux,* with some Indians. The whole line of advance posts was under the immediate command of de Salaberry. He moved rapidly up in support of Mailloux, the 4th Incorporated Militia under major Perrault, and his own regiment of Voltigeurs.

Finding this force in his front, which Hampton believed to be much greater than it was, with the roads blocked up, and impracticable, he at once determined to abandon his advance into Canada by that direction. On the 22nd of September he left Odelltown, and returned southwardly to the town of Champlain, two miles south of the frontier. Descending the road southerly between four and five miles, he reached the Little Chazy river, which he followed till meeting the road leading from Plattsburg westerly to Salmon river, from which access was obtained to Canada, by the roads leading northernly to the Châteauguay river. Marching some 24 miles, he arrived at what was known as the "Four Corners," the point where the road ran to fort Hickory, which at that date stood south of the boundary line, to meet what was then called Smith's road, leading to the junction of the Outard river with the Châteauguay, about 22 miles in length. Two miles distant from "Four Corners" to the west, a second road northerly followed the main branch of the Châteauguay, reaching its eastern course in about 14 miles. Hampton availed himself of both lines. On the 21st of October he divided his force into two columns, the objective point being the Châteauguay. He met no opposition on the march. The belief, that he would attempt an advance by the road running from fort Hickory, crossing the English river, to Saint Pierre, between Saint John's and Châteauguay, had led to the

* This young officer, who by his courage and intrepidity obtained the highest reputation in the service of the frontier; in the following year, 1814, when reconnoitring the movements of the United States troops, fell into an ambush. Severely wounded, he was carried within the enemy's lines, and although treated carefully, both by the United States and British surgeons, who were allowed access to him, he sank under the injuries he received. His body was escorted with military honours, and every mark of respect, across the frontier to be buried on Canadian soil.



construction of *abattis*, and the destruction of the bridges. Hampton had, however, determined to proceed by the line of the Châteauguay to its mouth at lake Saint Louis. At this point he expected to be met by Wilkinson, and by the aid of his boats to cross to the island of Montreal by île Perrot. Had the junction of the two armies been effected, they would have marched directly on Montreal. Hampton's force has been estimated from 6,000 to 7,500 men. It is so painful a passage in United States history, that little is said about the event. It is, however, admitted that there were 5,520 infantry; with 180 cavalry, accompanied by 10 field guns.

The news of Hampton's entry into Canada at Odelltown reached Prevost when at Kingston. He immediately left for Montreal, where he arrived early in October. His first measure was to issue a proclamation calling out the militia in force: a call answered with alacrity. Sheaffe, in command of the district, was directed to take active offensive measures against Hampton's operations. The abandonment of Odelltown by Hampton, his retreat southerly to the Chazy river, with the knowledge that he was marching westerly by the road to the Four Corners, suggested his intention to enter Canada by fort Hickory, from that point to follow the route to English river. On this theory de Salaberry was ordered to impede Hampton's march, and de Watteville proceeded to Châteauguay with a detachment, to act as circumstances dictated.

With his small force de Salaberry saw that any attempt beyond that of harassing Hampton would be disastrous. Nevertheless he obeyed the order, marching through the woods with 150 Voltigeurs, the light company of the Canadian Fencibles, and about 100 Indians under captain Gaucher. He proceeded to carry out this exacting duty, and make the road impracticable with *abattis*, and otherwise to create impediments. When engaged in this effort he heard that Hampton, whose march he could not interfere with, was following the Outard river and the Châteauguay. Hampton's design was now plain. He intended to follow the Châteauguay river

to lake Saint Louis. De Salaberry consequently advanced to the Châteauguay, which he ascended some two leagues above the forks. The spot he reached is known as lots 33, 34 and 35 in the township of North Georgetown, on the first named of which stands the present small village of Allan's Corners. On the western lot is a moderately deep water-course, on the farm at the present time occupied by Mr. Bryson. East of the spot de Salaberry roughly constructed a block-house,* and according to the *Témoin Oculaire*, threw up some *abattis*. He determined to establish himself at this point, and sent out a picket to learn the position of Hampton. His force did not exceed 300 men. It consisted of the flank company of the Canadian Fencibles, and four companies of the Voltigeurs.†

There is no event in the war more difficult to narrate than this action. The gallantry of those present, the success attained, the important consequences attributable to Hampton's retreat, have most powerfully appealed to the national imagination. A circumstance, also, which brings the event into prominence is, that the whole of the troops engaged were French Canadians. With the exception of colonel M'Donnell, captain Ferguson, and three or four others, there was not a person of British blood in the field. A circumstance which further complicates our sources of information is, that Prevost saw fit himself to write the despatch announcing the success, when by right the duty appertained to de Salaberry as commanding officer. The short letter of de Salaberry furnishes no detail of the action, but merely relates the stand he made.‡ Consequently we have no authoritative report to guide us. These circumstances have cast a halo over the event which the facts do not justify, for it affiliates only to a limited and narrow body of those present the entire renown

* This block-house, by all accounts, disappeared a few years after the close of the war.

† The monument lately constructed by the Dominion government is erected on lot 34. It is 6 miles and some 80 rods distant from English river.

‡ The original letter of de Salaberry addressed to de Watteville, 26th October, 1813, 8 p.m., is to be found Canadian Archives, B. 680, p. 331.

of the success, while it really must be attributed to all who were in the field, no great number, about 900.

The result, in my humble judgment, has been some fanciful incorrectness of description. It is not my intention to enter into controversy upon the subject. I allude to these widely accepted traditions to shew that I am acquainted with them. I desire to add that it has been my effort fairly to consider them. I may say that circumstances exist to turn in favour of de Salaberry any sympathy I may entertain. His own merit, however, was so great, and his character so high, that there is no necessity for any fanciful colouring to be given to his conduct on this, or indeed on any other occasion.

The force of de Salaberry was unexpectedly strengthened by the arrival of lieutenant-colonel M'Donnell of the Glen-garrys, in command of seven flank companies of the lower Canadian militia lately formed into a regiment. M'Donnell was the officer who in the beginning of the year had* so distinguished himself at Ogdensburg. The regiment of the flank companies of the French Canadian militia, in command of which he had been appointed, was stationed at Kingston in order to be completely organised. He had been called upon by Prevost to march with his regiment to Châteauguay to sustain de Salaberry. The whole arrangements had to be made for the journey. They were prepared in an incredibly short space of time, and the march was made. It is claimed as being the most rapid on record in Canada. The 170 miles of water and the 20 miles of land were passed over in 60 hours of actual travel. M'Donnell's force consisted of 600 men, and having descended the rapids, he reached the southern shores of lake Saint Louis without the loss of a man. M'Donnell arrived on the ground only on the 25th of October, the day before the battle; his regiment formed de Salaberry's second line. The first line was protected by some fallen trees, and *abattis*. The whole strength of those present amounted to 900 men, with about 50 Indians, under captain Lamothe. On the day after the action 122 arrived

* [Ante, p. 250.]

under the command of McGilivray. The British were without artillery of any kind.

On the night of the 25th of October, the whole United States force had reached the left, the northern bank, of the river along which the march had been made, the junction of the two columns having been effected at the mouth of the Outard. On the morning of the 26th of October, about ten o'clock, colonel Purdy, with a column 3,000 strong, crossed to the southern bank. The design was to cross again by the ford to the rear of de Salaberry, of which ford information had been obtained, and so to catch him in a net. Major-general Izard, regarded as the ablest officer in the force, having seen service in France, was ordered to make the attack in front. The arrival of M'Donnell was unknown to the United States staff, and the position occupied by him was at the ford which Purdy's force was advancing to take. Purdy's column was first engaged by the Beauharnois militia, a handful of men without discipline, and, when opposed to the advancing column of 3,000, no surprise need be expressed that they broke and fled; and that Purdy unopposed pushed forward to gain the ford, which he expected to occupy with little opposition.

The troops at the front line, amounting to 300 men, under de Salaberry's command, were drawn up, the Canada Fencibles in extended order on the right, and as the movement was being made on the right bank by Purdy, Izard's column 4,000 strong, with some cavalry, advanced against it. After some slight resistance, the Voltigeurs gave way, according to M'Donnell, and retreated to the second line. A matter of no wonder, for 300 men were attacked by 4,000, led by an experienced officer, and it was known that the United States had brought their artillery into the field. The one man who remained at his post was de Salaberry, with a boy, the bugler, whom de Salaberry held by the collar to prevent him running away, while he forced him to sound the advance. The United States column drove the retreating force before them for half a mile. To the surprise of the troops thus advanc-

ing, as they believed, unopposed, they encountered the second line, formed of militia under M'Donnell, the presence of whom was unknown to them. M'Donnell had heard the bugle sound of de Salaberry, and interpreting it as a demand for support, caused his own buglers to sound. At the same time he made his ranks cheer loudly to restore confidence to the men of the first line. He also sent into the woods his buglers, with orders to separate, and to continue sounding with all their power. At this time he was joined by a body of Indians. They were called upon to yell with all their strength to paralyze the enemy's advance, and to turn him from his main attack in order to protect his own left. It was subsequently said, that the bugle sounds and the Indian yells had won the action, for they conveyed the idea to Purdy and Izard that they were opposed by 10,000 men.

The opposition of M'Donnell's force, with the cries and bugle sounds, so affected the United States force that it halted. In such crisis to halt was to court defeat, for they shortly afterwards broke and fled. The ground abandoned, the Voltigeurs returned to their old position, which had been held by de Salaberry alone. Strange as it may read, the fact is attested by M'Donnell. The Voltigeur companies of I. B. Duchesney and Juchereau Duchesney, poured into the column in its retreat a vigorous fire. There was no attempt to re-form, or to return the attack, and the result of Izard's movement on the left bank ended in failure.

On the right bank, after Purdy had scattered the Beauharnois militia; men without military uniform, and dressed as for their daily avocations, believing that his surprise of the position was certain, he made for the ford. The troops were here received by a well directed fire from M'Donnell's line, the presence of which was a perfect surprise. Around them the bugle calls were heard in several directions, and at the same time the yells of the Indians unceasingly shrieked forth created the belief with Purdy, that overpowering numbers were in position to meet his attack. M'Donnell had detached by the ford to the opposite side of the river captain Daly's com-

pany to take the enemy in front, while he attacked the flank. M'Donnell had drilled his men to fire with one knee on the ground. The practice was observed in this case. The volley was answered by ten-fold numbers. Had not such been the position taken by Daly's men, they would have been overwhelmed. Even with this precaution Daly was wounded, with several of his men; consequently, he retired to the main body; and there was no pursuit.

Purdy's column, considering that there was no chance of obtaining possession of the ford, the object of his advance, experiencing also the heavy fire in his front and flank, and believing that they were opposed by several thousands, retreated about half-past two, leaving the field to the Canadian force.

The firing, however, did not cease. Two parties of the United States troops on opposite sides of the river, mistaking their identity, poured into each other a sharp fusillade which was for some time continued. As day dawned on the 27th, 20 of Hampton's force wandering from the main body came into de Salaberry's camp, and were made prisoners.

Upwards of 90 bodies and graves were found upon the right bank of the river, with a considerable number of muskets, knapsacks, and provisions, shewing the confusion with which Hampton's column retreated. On the 28th a party under lieutenant-colonel M'Donnell destroyed some of the newly erected bridges. The day after the action, de Salaberry, worn out by the continuous fatigues of day and night, watching the United States column, and the unceasing duties of his command, was so ill that he could not continue in the field.

On the evening of the 28th, the Indians, under captain Lamothe, passing through the woods, reached Hampton's rear guard and attacked it, causing a loss of one killed and seven wounded. There is a story that subsequently captain Debartzch of the militia was sent with a flag to the headquarters, and was asked the number of the British force. Debartzch had been cautioned to speak vaguely on the

subject ; but the numbers given by him appeared so ridiculously small that Hampton refused to believe the statement, insisting that he had been opposed by a force of 7,000, instancing that the woods had rung with the bugle calls. The explanation made by Debartzch was of no avail.

Prevost's official account of the action cannot be passed over without comment. He states that "fortunately I arrived at the scene of action shortly after its commencement. I witnessed the conduct of the troops on the glorious occasion" conveying the idea that the position had been chosen by him, and that he had directed the movement in the field. It is a departure from truth. On the day when the event happened, he was visiting some posts on the south, near lake Saint Louis. The distance of the scene of action from Châteauguay is about fifteen miles, and from Beauharnois between seven and eight miles. He came upon the ground only after the action was over. He then received a verbal report from M'Donnell of what had taken place, and rode forward to the front line to say a few words to de Salaberry. Shortly afterwards he left the spot.

I do not know a more disingenuous production in military history than this despatch, dated the 31st of October. The first consideration is why Prevost should have written it at all. The record of the action should have been made by the officer in command, de Salaberry; but he is made to bear a thoroughly subordinate position. The conduct of Prevost in the case must be contrasted with his proceeding at Sackett's harbour in 1812, where he was in command. The miscarriage which followed was attributable to his own orders, but to avoid the responsibility of the failure he directed his adjutant-general to write the despatch, confining himself to the official duty of forwarding it. In this case he appropriated to himself the laurels of de Salaberry, to which he had not a shadow of a claim.

His despatch represents the victory as his own. Thus he writes that Hampton, having completed his arrangements on the 24th, "commenced on the following day his operations

against my advanced post." He describes de Salaberry as one who had command of the advanced pickets, conveying the idea that he himself was directing the operations, whereas he was not in the field during the action, and de Salaberry was in supreme command. Lieutenant-colonel M'Donnell he never mentions, and in no way alludes to the march made by his own orders from Kingston, and the rapidity with which it had been effected, so that the regiment arrived on the ground a few hours only before the action. In his thanks he places first on the list general de Watteville for the measures taken by him, when he was five miles distant from the ground at the time of the action, and did not arrive until after Prevost himself, and was only present owing to a note written to him by lieutenant-colonel M'Donnell during the engagement. Prevost acknowledges the services of de Salaberry as of an ordinary character, in the tone generally taken when speaking of a higher subordinate, who had attentively carried out his orders. He specifies several officers, but not the regiment of the flank companies commanded by M'Donnell. He indeed ignores them, and describes the number "actually engaged" as 300, and speaks in a general way of the militia present. Hampton's force he described as consisting of 7,000 infantry, 200 cavalry, and 10 guns. In his report Prevost gave the engagement the character of an outpost affair. Indeed his despatch was a tissue of misrepresentations. The loss of de Salaberry's force was five rank and file killed; two captains, one sergeant, thirteen rank and file wounded.*

* Among the authorities to which I have referred are some MS. notes of colonel M'Donnell, placed in my hands by the well known librarian of Toronto, Mr. Bain, whose aid, never denied me, has always been of great value. Mr. Sulte also favoured me with his valuable collection of notes, and a MS. unpublished memoir of his own. I owe also to Mr. Sulte that I am able to determine the correct spot where the contest took place. He was officially instructed to establish the site for the erection of the monument, for which a sum has been voted by parliament. The correspondence relative to the part taken in the action by colonel M'Donnell was lately published in the Montreal papers. The letters of Mr. René de Salaberry, grandson of the colonel, are worthy of great

The importance of this action viewed in connection with Chrystler's cannot be over-estimated. Happening within but a few days interval, the two proved the salvation of Lower Canada, and cast into oblivion the disaster of Moraviantown, and the want of conduct of Procter, causing them to be remembered more as a distempered dream than as a depress-

attention. They establish the injustice done to his grandfather by Prevost, and the perfectly good understanding between him and M'Donnell. At the same time, they furnish a proof of the noble character of the latter, and give assurance of his inability to make any misrepresentation of the event.

The following is the correspondence :—

LIEUTENANT-COLONEL M'DONNELL TO DE SALABERRY.

32 TAYFIELD, EDINBURGH, February 2nd, 1817.

MY DEAR DE SALABERRY,—I did not fail to take the first opportunity of speaking to Sir Henry Torrens, on the injustice done you in omitting your name in the list of Companions of the Bath. To this he replied, that in consequence of a memorial I had given him, to claim back rank from the date of the affair at Ogdensburg, the Duke had put my name down on the list now preparing for publication, but he could not act in regard to your claim without some official recommendation. I assured him upon my honour of the circumstances as an eye witness, and plainly told him that Sir George Prevost and the people about him had chosen to take some pique at you about that time, and they therefore did not think proper to give you the credit you were entitled to.

After a little hesitation he asked me if I would write an official letter to him on the subject, which I agreed to do, and I next day sent him a communication of which the annexed is a copy, and I have not a doubt but it will succeed, as he told me to lose no time in doing so, as the list will immediately appear in the *Gazette*. . . .

Yours sincerely,

G. M'DONNELL.

LT.-COL. G. M'DONNELL TO SIR HENRY TORRENS.

MR. DONALDSON'S OFFICE, WHITEHALL, January 14th, 1817.

SIR,—At the request of Lt.-Col. de Salaberry, of the Canadian Voltigeurs, still in Canada, I do myself the honour of stating to you for the information of H.R.H. the Commander in Chief, that having been second in command in the action of Châteauguay, in Lower Canada, I can pledge my honour that the merit of occupying that position, and fighting that action, is exclusively due to Lieut.-Col. de Salaberry, who acted in both respects entirely from his own judgment, Major-General de Watteville having only come up from his station, some miles in the rear, at the close of the affair, after the enemy had been defeated, in consequence of a notification sent him by myself, that we even then were warmly engaged with the enemy. Lieut.-Colonel de Salaberry having in this affair the good fortune to defeat a division of 7,000 regular troops, the largest regular

ing fact. If the junction of Wilkinson's and Hampton's forces had been made there would have been no impediment to a landing on the island of Montreal. There was no strong force in the district to oppose them. It may be asserted that

army that the American nation has ever yet brought into action, I hope that H.R.H. the Commander in Chief will do him the honour to take the subject into his gracious consideration.

I have, etc., etc.,

G. M'DONNELL.

It is gratifying to add that his efforts were successful, and both received the C.B.

We learn from Dr. Anderson's well-known work [pp. 214-215] that the duke of Kent, the father of the queen, personally intervened to obtain justice for de Salaberry. His letters to the elder de Salaberry, of the 15th of March, and to the colonel, of the 25th of March, 1814, bear testimony to the interest he took in the event. We also learn that he received from the colonel "the details of your brilliant repulse of the enemy." The draft of this letter, I am informed, cannot be found in Canada. The duke expressed himself plainly on the matter, and, with the generosity of his character, urged colonel de Salaberry's claim to distinction.

He wrote to the elder de Salaberry :—"I have seen with pain that the report of the Adjutant-General does not do him justice, as he does not give him exclusive credit for the dispositions made, and the success which resulted from them. But you may comfort yourself with the idea, that there is not any one here, who does not regard him as the hero who saved Lower Canada, by the decisive steps which he took, and the bravery with which he opposed his little band of heroes, to the troops of the enemy, so superior in numbers. I have talked the matter over with the Duke of York, and he appears completely convinced, that to your son belongs the whole merit; and I have no doubt, he will find occasion to reward him, in a manner appropriate to his desire and merit. You may rest assured, that this is the effect produced by the reports of the English officers, who were present and witnesses of the affair." [p. 214.]

The only detail given of the action is that by the *Témoin Oculaire*, the writer of which was adjutant O'Sullivan. It first appeared in the Quebec *Mercury* of the 9th of November, 1813. It was subsequently republished in the *Courier d'Ottawa*, on the 15th of January, 1863, and has been incorporated by the late colonel Coffin in his one volume, the unfinished "Chronicle of the War," [pp. 286, 296]. O'Sullivan's account is confused and obscure, and, although of some length, fails to convey a clear view of the action. Both he and M'Donnell agree that a picket of Beauharnois militia on the right bank of the river was driven back, and in the *ruse de guerre* of the sound of the several bugles. It is plain that de Salaberry's force could have had but few buglers, and the greatest number must have been furnished by M'Donnell. There is also a difference in the account of the *abattis*. M'Donnell does not attach to them either the size, number, or the importance assigned to them by O'Sullivan.

no troops would have been sent from Quebec, for the possession of Quebec was held to be of the first importance, and the leading principle would have been to strengthen, not to reduce its garrison. The province undoubtedly had passed through a great peril, even if it could have been successfully encountered. That it was saved from the terrible ordeal was owing to the actions of Châteauguay on the 26th of October, and at Chrystler's on the 11th of November.

An attempt has been made to estimate the relative importance of these two events. It has been claimed, that the pre-eminence must be assigned to Châteauguay, as Hampton's retreat was the true cause of Wilkinson's abandonment of his part in the campaign. It is, on the other hand, impossible to place out of view the self-confidence which was felt on all sides from the action of Chrystler's. Any attempt to apportion the extent of influence exercised by each event, appears in my humble judgment to be as futile, as it is uncalled for. We can only estimate the consequence claimed as the result in either case, by entering into the realm of speculation, and there can be little concordance in establishing the premises of the argument. Suffice to say that by the joint determination of the two events Canada was saved. Had Montreal fallen, Kingston and Upper Canada could not have been retained. They must have been surrendered to avoid starvation, and the province, with the exception of Quebec, must have been overrun by the armies of the United States. With this conviction, who can deny the importance of both victories and the power they exercised in this formidable crisis?

The failure of the continued movement closed the campaign in Lower Canada, Wilkinson having established his winter quarters on Salmon river, and Hampton at Plattsburg. On the 17th of November, by a general order, the regiments of sedentary militia were for the time disbanded, and the men returned to their homes. In the general order, the governor-general dwelt on the alacrity with which they had repaired to their respective posts, and the loyalty and zeal they had manifested at the prospect of encountering the enemy.

CHÂTEAUGUAY.

At the date of the action the spot where it took place was wild forest ; the one mark of civilization was the narrow line of road which followed the Châteauguay river from the United States settlements on Salmon river. The country now is thickly settled as a farming and dairy district, for unsurpassed fertility, extending to the boundary line, some twenty miles distant ; throughout in high cultivation, saving some strips of bush kept intact for the convenience of the farmer. In summer, the Châteauguay flows sluggishly along about 75 yards in width, without a tree on its bank. In the spring freshets, a large body of water often descends, extending over the low ground for some distance on the river sides.

The fords spoken of are owing to the slight rapids, which are met in all tributaries. In early summer, with a certain depth they preserve a rapid current ; in the autumn, and as winter approaches, the level of the river becomes so low that generally speaking such spots become almost dry, as is shewn by the frequently projecting rock. A ford is thus formed over the stones at the surface. The action at Châteauguay took place on the 26th of October, at the season when the fords must have been clearly discernible, for it is the time when the water is at the lowest stage. "Grant's rapids," one of the fords, is about $1\frac{1}{4}$ miles from the site chosen for the monument. "Morrison's" is about $1\frac{3}{4}$ miles distant. The block-house, a mile distant, the remains of which can be seen, was built some time after the action. West of the site of the monument is a shallow gully of 70 to 80 yards wide, and from 15 to 20 feet deep in the centre, through which runs a small creek. Possibly when the country was in bush, from the trees on its side, passage through it may have been difficult in any military movement, and this feature possibly determined de Salaberry in making a stand at this spot. Similar minor variations of level constantly recur.

There is no natural feature to determine the precise site of the action. As in all similar cases, tradition is busy in furnishing contradictory theories. It was principally fought on the southern bank near the ford, possibly "Grant's rapids." M'Donnell distinctly tells us that he placed himself in such a position. It was the design of colonel Purdy on the southern bank to reach the ford, cross it, and attack de Salaberry in the rear. On reaching this spot, he was himself attacked by M'Donnell's regiment. Colonel M'Donnell's MS. describes the spot where the attack was made as a mile distant from the position occupied by de Salaberry. Although there is nothing to establish definitely that the site selected for the monument is the point where the first stand was made, undoubtedly the attack took place in its neighbourhood.

When I visited the ground in June, Mr. McCormick, whose place is south of the river, accompanied me, and with great kindness took much pains in pointing out the localities, and related to me the many traditions still preserved.

Let me here acknowledge his courtesy, and repeat my thanks for his hospitable reception of me.

CHAPTER III.

In western Canada a series of successes were experienced, which, commencing in October, were uninterruptedly continued until the close of the year, without regard to the extreme severity of the season, the difficulties of movement incident to it, and the constant demand upon the endurance and courage of those who took part in the struggle. These events drove from the memory of the men of Upper Canada, where they had been keenly felt, the dark days of the destruction of the fleet on lake Erie, the abandonment of Amherstburg, and the painful episode of Procter's flight, after his handful of men had been forced to surrender on the 5th of October. The news of the disaster reached Vincent, then in command at Burlington heights, in the absence of de Rottenburg. On the 9th of November he drew in his advance posts; the stores and provisions he was unable to bring with him, he destroyed. The withdrawal of Vincent's outposts led McClure, then in command at fort George, to march out on the road with his whole force. The expedition was merely a promenade of some miles, and he returned to the fort. The event was announced in the United States journals as a triumph, that he had succeeded in driving the British force from the neighbourhood of fort George to Twelve Mile creek.

Procter's defeat was known in Montreal in the middle of October, when Prevost's want of moral courage, and his incapacity for his position were never more strongly shewn. Prevost had only intellectual power, when the pen was in his fingers, writing despatches by which he could profit from the merit of others; or give a turn to an unpleasant event, so that the mischance would be averted from himself. In this case he seems to have been overwhelmed by the reverse which

had been experienced. He saw no hope in the future, no remedy but in the abandonment of Upper Canada. Had he been obeyed, Upper Canada would have been lost. He sent orders to Vincent to abandon every post and retire upon Kingston without delay. Many powerful considerations presented themselves against the movement. There were many sick both at Burlington and York (Toronto). It was the commencement of November, when heavy rains are frequent. In modern times as "spurs the weary traveller apace to gain the timely inn," or as he drives over a cross country road to pass from one main line of communication to another, we still have some experience of trying journeys, wherein every rod we move we dread to break the axle. In those days, the main roads themselves were often impassable at the late season, and to have abandoned the heights was to have left the sick to the mercy of the enemy, with the ordnance, stores, baggage, and provisions, which could not have been moved. The necessity of leaving the sick behind, to be cared for by the invaders, would have suggested the avoidance of every act which might cause irritation on their part. Thus, the stores could not have been destroyed, when the retreating general asked, that the sick he would have left behind him might be fed, and cared for. There was, also, the abandonment of the strong position of Burlington heights, confidently believed to be unassailable, when garrisoned and provisioned. Kingston, likewise, was short of provisions at the time, and the arrival of the western force would have led to much privation, and have extended to results entirely unforeseen.

In civil life there was the painful consequence of subjecting the whole population to military occupation, to the exactions, enforced contributions, and remorseless severity of the United States forces present as conquerors. A council of war was held at Burlington heights, and it was resolved not to abandon the position, but to hold the ground occupied, and to await events. Two companies of the 100th which had been stationed at Normandale, in the township of Charlotte-

ville, in the county of Norfolk, were ordered to abandon the post and join headquarters. Orders were also sent to dis-embody the militia, and to call in the arms. The departure of the troops from Norfolk gave encouragement to the settlers originally from the United States, whose sympathies were anti-British. They had gained courage from Procter's defeat, and considered that by that event Upper Canada had passed from British control, and that now was the time to make the loyal population feel their power. They commenced by plundering the houses of the militiamen absent in the field on duty, and at the same time acted with insolent hostility. The inspecting officer of militia had left with the Oxford militia arms and ammunition, so that those composing it should not be at the mercy of these marauders. An association was formed for the common protection, and, hearing that the plunderers were actively engaged in attacking private houses near the lake shore, forty-five volunteers marched under the command of lieutenant-colonel Bostwick to chastise them. They met these parties not far from port Dover; several of them were killed and wounded, 18 were taken prisoners. They were tried at Ancaster for high treason, 15 were found guilty, and sentenced to capital punishment.

Early in November, Harrison arrived at fort George with 1,700 troops, who were quartered on the inhabitants of Newark. A detachment was pushed forth to Twenty Mile creek, and there was a constant pillage of the farms and barns around fort George, and the ground held by the congress troops. Many homesteads were devastated in order to render the country uninhabitable, and where there was difficulty in carrying out this ruthless policy, the doors and windows were removed and destroyed, so that the houses could afford no shelter. Harrison with his corps, and the troops under colonel Scott, agreeably to the orders of the secretary of war, were conveyed by Chauncey's fleet to Sackett's harbour. McClure was now left in supreme command with 2,700 men, and he remained at Twenty Mile creek with a strong detachment.

The report of the harsh exactions of McClure's troops reached Burlington heights. Murray, who was one of the fighting men of the army, urged the necessity of sending a force forward to offer some protection to the inhabitants. Finally Vincent consented, and Murray, with 378 rank and file of the 100th with 20 volunteers and 70 western Indians, took post at Forty Mile creek (Grimsby) with orders not to pass beyond it. The movement seemed so aggressive and threatening to McClure, that he abandoned Twenty Mile creek, which he then occupied, for the neighbourhood of fort George. McClure had in front of him a man, by whom no false step would pass unmolested. Murray accordingly obtained additional authority to advance, first to Twenty Mile creek, and subsequently to Twelve Mile creek (Saint Catharine's) upon which McClure shut up himself and his force in fort George.

It was the 10th of December, snow had fallen for several days ; the cold, for Upper Canada, had at that season been unusually severe, and, as often happens at this day, we have, to use a word of this continent, doubtless introduced into Canada by the first U.E. Loyalists, "spells" of hot and cold weather, at seasons unlooked for. Often in early May we experience the heat we would expect in July, and in December what would be called February cold. It was so in 1813, December was a month of unusual severity. The fact casts additional shame on the scene of devastation and cruelty, which will forever make the name of McClure infamous in Canadian history ; an infamy in which Mr. secretary Armstrong participates, for the perpetrator of the outrage declared that he only acted in conformity with his instructions from the secretary.

McClure, after the fashion of the United States generals, had issued a proclamation to the people of Upper Canada, which he described as abandoned by the British, offering the protection and friendship of the United States. At the same time he gave evidence of the character of these feelings, by plundering the houses of those whom he conceived to be devoted

to British interests. He now understood that there would be no acceptance of his offers, and as Murray had advanced to within twelve miles of fort George, he considered that the only course open to him was to vacate that position. Forty-eight hours before doing so, he proceeded to carry out what he construed to be his orders, and deliberately burned the town of Newark. There can be no explanation, or apology for the act. It could not be called an act of retaliation, for the inhabitants had shewn no ill-feeling to the garrison. Indeed, they had been powerless to do so. Many of the men were absent in the field, many, held to be "malignants," had been arrested and sent across the frontier. No treacherous behaviour to the troops, such as often renders such a lesson necessary, had given ground for complaint. The village, as such, in no way interfered with military operations. It had not incommoded the operations of Dearborn and Chauncey in June, nor had it any effect on the weak and powerless demonstration of Prevost. It was upwards of a quarter of a mile from the town, and so remains to this day.* There was no valid reason for this detestable act. It is still remembered in Canada, with the exasperation felt when the fact became known, and remains imprinted on the national memory as a cruel wrong.

Shortly before dusk on the 10th of December, McClure sent round notice, that he was about to burn the village. The inhabitants were told to save what they could of their property. The fact appeared so horrible, that many could not believe it; but in less than an hour the flames shewed that this miscreant uttered no mere threat. The village had long attracted attention by its picturesque appearance, and the look of happy plenty which it presented. The small houses were embossed in many instances with orchards, and with the foliage of summer there were few more pleasant

* The site of the fort is distinctly shewn by defined traces of the old intrenchment. They present, however, the view only of a confused mass of earthworks, so that no opinion can be formed of the extent of the original fortifications. The ground between it and the town still remains unoccupied.

spots to look upon. The torch was remorselessly applied. Out of 150 houses 149 were burned. When Dickson's house was destroyed, a residence marked by much elegance and luxury for that day, where there was a library of many volumes, it was necessary to bring out Mrs. Dickson lying on her bed, for she was dangerously sick, and place her on the snow, where she could see her house in flames. Her husband was one of those, who, from his prominence in public life, had been seized and sent a prisoner across the river. More than 400 women and children, many scantily dressed, not knowing where to lay their heads, were turned into the snow. Shivering from the bleak wind, and from the winter's severity, they could look upon their burning homes. Few could carry away anything they owned. They had before them only want, desolation, and suffering.

The outcry with the respectable portion of the inhabitants of the United States, not infatuated with the government policy, was loud and stern; so much so, that Armstrong quailed before it. When Wilkinson was at Plattsburg in January, 1814, he received orders from the secretary of war to make an explanation upon the subject. Wilkinson accordingly wrote to Prevost, disavowing on the part of Armstrong McClure's conduct, describing him as of the militia of New York, and enclosing a copy of Armstrong's letter.* The act was represented as being abhorrent to every American feeling; McClure's authority to destroy the town having been limited expressly to the necessity of the act for the defence of the fort, as warranted by the laws of modern war. The

* That Mr. Armstrong's explanation may be justly judged, I append the letter enclosed by Wilkinson (Can. Arch., C. 682, p. 82) :—

“ War department, Oct. 4, 1813.

“ Understanding that the defence of the fort committed to your charge may render it proper to destroy the town of Newark, you are hereby directed to apprise the inhabitants of the circumstance and to invite them to remove themselves, and their effects to some place of greater safety.

“ JOHN ARMSTRONG.

“ The Commanding Officer
of Fort George,
Upper Canada.”

proceeding, he said, presented the aspect of vindictive fury, not one of just retaliation, and was imputable more to personal feelings than to policy. He hoped that the explanation would be received as "not fallacious." Wilkinson, however, could not conclude his letter without allusion "to the wanton conflagrations on the 'Chesapeake,' fresh in the recollection of every citizen of the United States." He also added a passage, painfully contradicted by the outrages of the United States troops in Upper Canada, that "no system of retaliation which has for its object the destruction of private property has ever been resorted to by the American government, but as the last extremity, and this will depend on the conduct of your royal master's troops in this country."

This act of wickedness called forth a terrible retribution. On all sides Murray heard complaints of the treatment the inhabitants were receiving from McClure's garrison, and sending the reports to Vincent, asked for authority to advance against fort George. From the proceedings of the United States general, in arresting many of the inhabitants and sending them across the river, Murray felt it advisable not to wait for orders, and he assumed the responsibility of advancing against the fort. McClure's pickets gave him notice of the movement, and he resolved to abandon the place without any attempt at defence. The stores and ordnance, that he could take away, were carried to the other side of the river. What he could not remove he endeavoured to destroy, but he left behind in the ditch one long 18-pdr., four 12-pdrs., several 9-pdrs., and a large supply of shot. Some temporary magazines with shot and ammunition were also found, with camp equipage for 1,500 men. The barracks which had recently been constructed likewise remained uninjured. What surprised Murray was, that McClure had failed to make a stand in the fort, for the fortifications had been greatly strengthened; but the panic was so great that even the tents had been left standing.

On December the 13th sir Gordon Drummond was appointed "provisional lieutenant-governor of Upper Canada."

Drummond was born at Quebec in 1771, where his father, Colin Drummond, of Megginch, was paymaster-general. He belonged to the family of that name in Perthshire, and was by marriage highly connected. Sir Gordon when eighteen had entered the army in the 1st foot, and from the interest he possessed was appointed in 1794 to the command of the 8th. He served under the duke of York in Holland, had been at Minorca, and was present at the campaign of Egypt in 1801, under sir Ralph Abercrombie. In Gibraltar he met the duke of Kent, whose friendship he retained to the duke's death. Drummond served in Jamaica from 1805 to 1808, when he returned to England and married. He was shortly afterwards appointed to the staff in Canada, where he remained until 1811. In 1812 he received the command of the south-eastern district of Ireland. In August, 1813, then a lieutenant-general, he received his orders to proceed to Canada as second in command to Prevost. This good soldier embarked on the 3rd of November. He lost no time in immediately proceeding to Upper Canada, to assume command. It was under these circumstances he was appointed lieutenant-governor of Ontario. Drummond was accompanied by major-general Riall. Riall had also entered the army in 1794, and had seen much service. They arrived at Saint David's, Vincent's headquarters, a few days after McClure had abandoned fort George.

Murray at once proposed to sir Gordon an attack on the United States lines. If the attack was to be made, it was important that it should be done without delay, before the panic had passed away. The lateness of the season had also to be considered. Drummond felt that there was no time to refer the question to the governor-general for decision. Delay would be ruinous. It is to be assumed that during the three weeks he was at Quebec, Drummond had made himself master of the history of the war. He had met Harvey in Montreal, and the actions of Châteauguay and Chrystler's had preceded his arrival only by a few days. He may have heard all that was said and thought of Prevost in

military circles. Be the cause what it may, he assumed the responsibility of immediately authorising the attempt, and within a week after the occupation of fort George the movement began.

It must be remembered, that every preparation to carry out the expedition had to be undertaken. There were but two *bateaux* at Niagara. Those required for the expedition had to be brought from Burlington bay, and the season, December, did not admit the passage by water. The duty of bringing them forward was entrusted to captain Kerby, of the militia. Notwithstanding the bad weather, and the bad roads, he succeeded in carrying them by land over the 42 miles to Niagara, and everything was prepared for the assault of the United States fort.

The force placed under Murray's command consisted of the grenadiers of the Royal Scots, the flank companies of the 2nd battalion of the 41st, lately arrived from Europe, eight companies of the 100th, and a detachment of the royal artillery, the total being 550 rank and file. On the night of the 18th of December, the troops embarked and landed on the United States side of the river, three miles above fort Niagara. At four in the morning the march to the attack of the fort commenced. The advance guard made two of the United States picket prisoners, and also surprised the sentries on the glacis, from whom the watch-word was obtained.

Three companies of the 100th, under captain Martin, stormed the eastern demi-bastion. Five companies, under the command of lieutenant-colonel Hamilton, led by Murray, approached the fort by the front gate. It had been left open to admit of the return of the relief. The main guard rushed out, and fired a volley. The British attacked with the bayonet; it was the weapon, the efficacy of which had been proved at Stoney creek and Chrystler's. There was a discharge from another stone building, but those defending it were similarly silenced. Only a few minutes more were needed for the Union Jack to wave on the ancient fort, from

which it had been voluntarily lowered in 1793. It remained there until the close of the war and the declaration of peace.

The prisoners taken were 14 officers, 12 sergeants and 318 rank and file, among them 2 officers, 12 rank and file wounded. There were 65 killed; about 20 effected their escape, making the total garrison 429. The British loss was 6 killed and 5 wounded, total 11; among the latter colonel Murray, severely, in the wrist. The fort was defended by 27 guns, among them 32-pdr. caronnades. The arsenal contained 3,000 stand of arms and several rifles. The ordnance and commissariat stores were immense: the same may be said of the clothing and camp equipage.

Among the discoveries at fort Niagara were eight men* of high character, British subjects, who had been seized and placed in the fort prison. They were non-combatants, who had committed no act of aggression against the fort George garrison, and had by their conduct furnished no ground for this outrage, not simply of the laws recognised by modern warfare, but of the dictates of humanity and decency where civilization prevails. The imprisonment of these men, guilty of no crime but loyalty to their country, can be placed on a par with the burning of Newark.

On the morning of the 19th, after fort Niagara was taken, major-general Riall with a force of 500 men, consisting of the 1st Royal Scots and the 41st (2nd bat.) crossed to Lewiston. They were accompanied by 500 Indians. A skirmish took place between the Indians and a force under a major Bennett,† in which the United States lost 8 men killed. Lewiston was abandoned. It was burned by the Indians. Riall took possession of one 12-pdr. and one 6-pdr., some arms and ammunition, and 200 barrels of flour. The small villages of Youngstown, Manchester, and Indian Tuscarora,

* Six of their names have been preserved: Thomas Dickson, Samuel Street, J. M. Caudle, John Thompson, John Macfarlane, and Peter McMicking; the last named being 80 years old.

† Was this the captain W. P. Bennett who in 1809 committed the cowardly murder of the schoolmaster Underhill at Elizabethtown? [Ante, p. 106.]

deserted by their inhabitants, were also burned. Riall advanced to fort Schlosser, which was likewise destroyed. He proceeded as far as Tonanada creek, within 10 miles of Buffalo, but the bridge was broken, and, as there was no means of crossing, Riall returned to Lewiston and passed over to Queenston.

Drummond, on the 28th of December, established himself at Chippewa, and on the following day advanced within two miles of fort Erie, with the design of attacking Black Rock.

Fort Erie, which, after the capture of fort George in May, had been occupied by an United States garrison, after the reverses of Stoney creek and the Beaver dams, had been abandoned and dismantled. It had remained unoccupied, and from being in this condition at this date, Drummond's operations on the Canadian shore remained without interference.

On the night of the 30th, Riall with 590 men rank and file, crossed the river, and landed unopposed two miles below the town. His force was composed of four companies of the 8th, 250 men of the 41st (2nd bat.), the light infantry of the 89th, the grenadiers of the 100, and 50 Canadian militia. The 89th advanced along the road, made a picket prisoners, and secured possession of the bridge over the creek, to the east of Black Rock, the boards of which had been loosened prior to their removal, but the design was frustrated by the rapidity of movement by the British. Crossing the creek, a position was taken in advance of it, at a spot called the Sailor's Battery. The United States troops under general Hall, McClure, the hero of Newark, having resigned his command, made some attempt to regain this ground, but failed, having been repulsed with loss.

At early daylight of the 31st, a movement was made to reach the ground above Black Rock. The force consisted of the Royal Scots, 800 strong, under the command of lieutenant-colonel Gordon, with a detachment of the 19th dragoons. They were embarked in *bateaux* to cross the river. Owing to the fault of the pilots, several of the boats grounded, and were brought under a heavy fire from the Black

Rock battery, and to the fusillade of 600 men drawn up upon the river bank. The men thus became exposed to the deliberate aim of this force, and suffered severely, 13 rank and file were killed ; and 3 sergeants and 29 rank and file wounded. Riall's force, however, pushed on and turned the enemy's right, while the fire of five field-pieces from the opposite shore dislodged their assailants from the position, whence they had delivered so effective a fire. Upwards of 1500 of the militia had now assembled, strongly posted. For some time the position was maintained with obstinacy, but the charge of the British drove them through the batteries in flight to Buffalo. A force of infantry was present with a field-piece commanding the road. Its opposition was ineffectual, and the United States troops sought the protection of the woods. Two schooners, and a sloop on shore below the town, were burned. Buffalo was taken in possession, and the inhabitants were ordered to leave their dwellings. It was subjected to the fate of Newark. The whole of the public buildings, with their contents of provisions, clothing, stores, and spirits, which Riall could not carry away, were given to the flames. The village of Black Rock was similarly burned ; a party of infantry, accompanied by some cavalry, moved along the river bank, destroying every spot that might offer cover to the troops.

The loss of the British was, killed, 31 rank and file ; wounded, four officers, three sergeants, 65 rank and file ; missing, 9 ; total, 112. The loss of the United States was not given. Major-general Hall, in a short letter to governor Tompkins, in extreme depression, reported the condition of the frontier as "wholly desolate." Like all accounts written at this time, the militia is represented to "have acted with spirit, and to have been overpowered by the numbers and discipline of the enemy, and that they fled on every side, and every attempt to rally them ineffectual." "Many valuable lives are lost" is the only report of the killed and wounded. Riall estimated the loss between 300 and 400, and the strength of the United States force at from 2,000 to 2,500.

The nine missing men had strayed from the main body, when they were attacked by a scouting party under a captain Stone, and made prisoners. Two wounded officers were afterwards surprised by a picket of the 19th light dragoons, lieutenants Riddell and Totman. They refused to surrender, and Totman was shot in resisting his capture. He was a friend of Willcocks, like him an Irishman, who had resided many years in Upper Canada, and was one of those described as "Canadian volunteers" in the service of the United States. There were in reality no Canadians among them. If so, the fact has never been acknowledged. They were settlers from the United States who had established themselves in Canada, and never were loyal to the government that gave them protection. They had no sympathy with the constitution; and, entertaining the opinions held at Washington that Canada was immediately to be conquered, had anticipated what they held to be certainty, by joining the United States ranks on the declaration of war. This person, Totman, was of this class; he knew perfectly well had he been brought a prisoner to Canada in an United States uniform, with a man like sir Gordon Drummond he stood a good chance of being hanged.*

The British troops now leisurely retreated to their winter quarters at Saint David's, Burlington heights at York, and the now British possession, fort Niagara, on the United

* That Mr. Totman's fears were not groundless, the following militia general order will testify. I have to acknowledge my obligations to the adjutant-general of militia, colonel Walker Powell, that I am enabled to publish it :

HEAD QUARTERS, FALLS OF NIAGARA,

October 28th, 1814.

At a General Court Martial, held at Stamford, on the 25th instant, and continued by adjournment to the 28th of the same month, Private John McMillan, of the 2nd regiment of Lincoln Militia, was arraigned on the following charges, viz. :—

1st. For having deserted to the Enemy, with his Arms and Accoutrements, when on Duty, on or about the 6th of October, 1813.

2nd. For having been taken bearing Arms in the Service of the Enemy on or about the 17th of September last.

And "The Court, after duly considering the Evidence for the Prosecution, and on behalf of the Prisoner, were clearly of opinion that he is guilty of both

States side. They brought with them 130 prisoners and six guns, one brass field-piece complete, and one each of 18-pdr., 12-pdr., 9-pdr. and 6-pdr.

The campaign of 1813 was now closed. A great reverse had marked its history : the defeat of Barclay's squadron on lake Erie, owing to which the abandonment of Amherstburg followed. This disastrous event was principally attributed to the failure of the admiral, sir John Warren, to understand the urgency of the demand for trained seamen, to serve on the lakes.

The defence of Montreal depended only to a certain extent on the preservation of the control of lake Champlain. The danger to the city lay in the unresisted advance of a strong hostile force on Canadian soil, from the northern end of the lake, and its advance would have removed much of the difficulty of the campaign. No such march as that from Plattsburgh to the Châteauguay would then have been held advisable. With the command of lake Ontario, expeditions from Sackett's harbour and Plattsburg could have been timed simultaneously, to threaten Montreal from the west and south. It was the plan of campaign of Wilkinson, but the difficulty of reaching Montreal by a direct route led to Hampton's attempt to penetrate to lake Saint Louis, where the junction of the forces was to be made. Hampton's defeat at Châteauguay, and his non-appearance at the spot assigned for the meeting, led to Wilkinson's abandonment of his design.

In Upper Canada, the positive safety of the territory rested on the British retaining command of the lakes. The capture of Toronto, followed by the taking of fort George at Niagara, was only effected when Chauncey had established his superiority on lake Ontario. So soon as Yeo's ships were manned and he appeared in full strength, the land operations no charges, and therefore Sentence him to suffer Death, at such place and time as His Honor the President may be pleased to direct."

His Honor the President approves the finding and Sentence of the Court, and directs that the same be carried into Execution at Bridgewater [Niagara Falls] on Monday morning next, the 31st instant, at 11 o'clock.

longer received effective assistance from the fleet. Had the United States fleet in July, 1814, been as it was in June, 1813, predominant on lake Ontario, there would have been, unhappily for Canada, a different story to tell of Lundy's Lane. With regard to the events on lake Erie, speculation is unnecessary. With the defeat of Barclay, Malden fell and Detroit was re-conquered.

The naval reinforcements demanded in June from sir John Warren did not arrive at Quebec until October, a month after Barclay's defeat. A petty officer and 50 men were sent to captain Pring at île-aux-Noix, while 145 were ordered to Kingston. It was this reinforcement, and the completion of a ship of 28 guns and a brig of 20 guns, which gave Yeo the strength that Chauncey hesitated to meet. Chauncey would never fight but when every advantage was on his side. Yeo blockaded Sackett's harbour, and Chauncey would not venture out to fight at close quarters. His tactics were to engage at a distance with his long guns, to inflict injury on Yeo's ships, while his own were comparatively unharmed by the less powerful artillery of his opponent. Yeo's tactics were the opposite; not to be subjected to the influence of such advantages. As Prevost wrote,* "the earlier arrival of the reinforcements might have averted the melancholy fate which has attended the squadron at lake Erie." The defeat attracted some attention in England, where the strongest feeling had been excited by the loss of the "Guerrière," the "Macedonian," and the "Java," in 1812, for hitherto the invincibility of the British navy had been a matter of popular faith. I will refer to this subject in a subsequent chapter. The defeat on lake Erie did not so affect public opinion. It was regarded as a provincial affair. Even to-day it is scarcely recognised as an event in any way affecting the character of the royal navy. Had the imperial assistance of seamen been rendered, which might have been given with no great effort, and which Canada had the right to expect, the disaster might have been avoided.

* Prevost to Bathurst, Montreal, 8th October. Can. Arch., Q. 122, p. 199.

The defeat of Procter was of a different character in every respect. Barclay lost no credit, either in his professional reputation, or his personal character. He had fought under desperate circumstances. Had Procter been a different man, the whole campaign would have been different. His generalship from the beginning to the end was bad, and he frittered away his resources in expeditions which ended in failure. Especially his two last, directed against forts Meigs and Sandusky.* I need not dwell here on the unfortunate close of his career, except to say that in less than a month the victories of Chrystler's and Châteauguay had by their cheering success entirely removed the depression it had caused. The auspicious events in the west inspirited both provinces. Fort George had been evacuated, fort Niagara taken, the whole Niagara frontier cleared from the troops who had been constantly threatening Canada, every place on the Niagara as far as Buffalo had been overcome, and the towns burned in retaliation for the destruction of Newark. Well might major-general Hall on the last day but one of the year write to the governor of New York, "I am exhausted with fatigue ; the flourishing village of Buffalo is laid in ruins ; the Niagara frontier now lies open and naked to our enemies."

Canadian territory, excluding Amherstburg, was on all sides free from the invader ; the dwellers on her soil, in full heart, determined unflinchingly to continue the struggle, sustained by the pride of nationality, and the justice of their cause.

* [Ante, pp. 307-308.]

CHAPTER IV.

It is not expedient that I should pass without notice the naval actions on the Atlantic coast. Although not immediately a part of the history of Canada, they had considerable influence upon the events of the war, and to some extent may explain the cause why trained seamen were not sent to Canada to take part in the defence of the lakes. There is a greater reason for the narrative of these events, for they are still well remembered, and a colouring has been given to them which a calm consideration of the facts does not warrant.

The loss of three frigates by the British, in single fight with United States war vessels in 1812, awoke a feeling of exasperation and bewilderment in the mother country which penetrated all classes, and was the more intense as the event was unexpected, and had been believed impossible. The triumphs of Great Britain on the sea had been so constant, that her invincibility on the ocean was an ordinary matter of belief. At the time, for a few weeks, such a defeat seemed inexplicable. As the true facts became known, and the causes are at this date open to examination, the event is by no means difficult of explanation.

In proportion as the British public were excited by passionate disappointment at these disasters, the effect in the United States was to create the highest feeling of exultation, which even now has not passed away. England had been beaten on her own element. The triumphs at sea in the months of 1812 compensated for the failures in Canada, and furnished arguments to the war party, for the active continuance of the contest. The triumphs, as might have been expected, were not soberly related; it could not be expected that such would be the case; they were, moreover, systematically misrepresented. The force and strength of the

vessels taken were greatly exaggerated, in order to make it appear that the United States ship was the weaker, and that a superior antagonist had been overcome. This proceeding is to this day followed by a class of writers, and accepted as fact by willing readers. It is therefore the more necessary that the truth should be stated, and the relative force of the ships engaged made known. Further, the tactics of the United States naval officers cannot be lost sight of. They trusted to the use of their long guns, when their ship was out of range of the cannon of the British frigates owing to their inferiority of calibre ; and when the enemy was crippled, and, from injuries to her masts and rigging, unable to wear, they then took the position for raking her, when any effort on the part of the shattered vessel to make a similar movement was not possible. There was no question of close fighting and boarding. The United States naval officers were in every way justified in using this superiority of their ships, for it was the misfortune of the British frigate not to be armed with guns of corresponding power, and at the same time the sailing powers of the United States ships made the tactics possible. Modern criticism also avers, that to some extent failure was traceable to faults in the discipline of the British navy. Attention to the true duty of the seamen in working the ship, handling the guns, and gaining skill in gunnery had become greatly relaxed. The men had been kept busy in the use of that curse of the service, as well in military life, as in a ship of war, the burnishing-iron. The custom of polishing up was expressly forbidden by an admiralty order, but men were kept occupied in burnishing the traverse bars, carronade screws, and every visible piece of iron on the quarter deck, to give a holiday look to the vessel. Men were set to reef and unreef the sails by a stop-watch, and the emulation arose in ships, as to who could carry out this pastime in the quickest manner.

The ships were in many cases no longer of the same character as those formerly built. There were at the time 150 ships of war in commission. Owing to the necessity of

obtaining vessels, several had been hastily constructed by contract, many of fir, with insufficient scantling and without strength of bulwark. The crews, often numerically unequal to the requirements of the vessel, included many impressed men, not seamen; likewise, many boys. Whatever their courage when engaged in action, their deficiency in discipline prevented them attaining the efficiency of trained seamen. Until the bitter lessons of 1812 had been received, there had been little attempt, as a rule, on the part of captains at imparting this excellence, attention being given to attaining the showy qualities of a ship, rather than to assure success in action, for that result had invariably been taken for granted. One particular weakness lay in the marines. They consisted, in many ships, of a great number of boys, as a rule entirely untrained in being good shots. Many even could do little more than load and fire their muskets.

The United States vessels had been carefully constructed in the administration of Adams. They had been designed on the best principles, and had been carefully built by government of the best material. They were much larger, and more heavily armed than the British frigates, and were manned by a larger force. Circumstances at this time, moreover, favoured the character of the crew. There was scarcely any employment for the mercantile marine, and good seamen, to obtain the means of living, had entered the war ships. Many were sailors of the United Kingdom, who had been induced to desert their ships when in port, for the higher pay offered in the United States merchant service. They were now transferred to ships of war. What gave the United States a great advantage when the vessels approached, was the presence of marines on the fore top, who made deadly use of their weapons. As a rule they were admirable shots. On the other hand, there is great force in the remark of a writer of the period, that "a deserter from the British marines would have been no acquisition." The great advantage possessed by United States ships, independently of their superiority in weight of metal, and the number of the crew, was the longer

range of their guns, which enabled them to inflict injury to an opponent without danger, they being out of range.*

The first attempt of the United States on the ocean ended in failure. War was declared on the 18th of June. Rodgers, in the "President," 58, with the "Hornet," 18, was at New York, ready to sail. It was known that the British frigate, "Belvidera," 42, was in convoy of a West Indian fleet, and the United States vessels were held in readiness to put to sea immediately on the declaration of war, in the hope of intercepting her. The orders were received on June 21st; within an hour the whole fleet sailed out of harbour, including the "President," the "United States," the "Congress," the "Essex," the "Argus," and the "Hornet." These vessels are still described as 44 gun frigates, whereas the "President" had 58 guns, the "United States" 60, the "Essex," although called a 38-gun ship, carried 46 guns. The "Argus" was a 20-gun brig.

The United States squadron came upon the "Belvidera" in 48 hours. Byron, the commander, had no knowledge that war had been declared. At first he stood towards the squadron. Observing the vessels were taking in their studing sails, and wetting them to profit by the lightness of the wind, a suspicion of a hostile design crossed his mind. He tacked and stood off. The United States ships, as if to shew a friendly purpose, hoisted their colors. Byron, to prevent any question arising as to who fired the first shot, ordered the priming to be wiped away from every gun. Soon after, the "President," which was leading the chase, fired three well-directed shots, the last of which killed two, and wounded two seamen. The shot was returned. The chase was continued by the "President" alone. Her superiority in sailing would have admitted her coming up to the "Belvidera" and

* I append to the end of this chapter a table of the ships in the several actions, shewing the armament and crews of the vessels engaged, with the list of captures by the United States and captures by the British. It will be seen that it was only in 1812 the three frigates were taken, and that after that date the few captures of the United States were without importance. The tables are taken from "An inquiry into the principal naval actions between Great Britain and the United States, etc., etc., Halifax (Nova Scotia), 1816."

attempting to board, but she preferred from time to time to yaw across the stern, and deliver a broadside. During the chase, one of the guns of the "President" burst and blew up the forecastle deck, killing or wounding 16 men.

The "Belvidera" escaped, and the convoy was saved, owing to the courage and skill of Byron, and it must be remembered that he was entirely ignorant that war had been declared.

Not long after, the "Constitution" had a narrow escape. On the 17th of July she fell in with the whole British squadron. It was a calm; two of the frigates, assisted by the boats, for a short time got within gun shot. The "Constitution," for sixty-four hours, with skill and endurance, tacked to effect her escape, when the wind freshened, and she left her pursuers behind.

The first vessel captured was the "Alert." On the 13th of August, mistaking the "Essex" for a vessel of less force, she bore down upon her. The "Essex" had 46 guns, with a crew of 328 men. The "Alert," 20 guns and 86 men. The "Alert" had seven feet of water in the hold and three men wounded, when she surrendered.

The first action of importance was that of the "Guerrière" and "Constitution." The "Guerrière" was originally a French vessel taken in 1806. Her model was greatly admired, but she had been built at l'Orient hastily of wood not seasoned, and was then in a rotten condition. In the action her main mast fell over, owing to its centre being decayed.

The following comparison will shew the relative characters of the two vessels :

"Guerrière."	"Constitution."
Length, 155 ft. 9 in.	Length, 173 ft. 3 in.
Breadth, 39 ft. 9 in.	Breadth, 44 ft. 4 in.
Guns, 49.	Guns, 54.
Broadside :	Broadside :
14 18-pdrs. long guns.	17 24-pdrs. long guns.
1 9-pdr.	11 32-pdrs. carronade.
8 32-carronade.	
1 12-carronade.	

Lbs. weight of metal, 539.	Lbs. weight of metal, 760.
Crew, 263.	Crew, 468.
Tons, 1,084.	Tons, 1,568.

The comparison proves, therefore, that the United States vessel had nearly double the crew, and three to two in weight of metal, of the "Guerrière." What gave the greatest advantage was the superiority in gunnery.

There is a difference of time in the record of the action. Dacres, the commander of the "Guerrière," states that the "Constitution" commenced firing at twenty minutes past four. Hull gives the hour at twenty minutes past five, the "Constitution" firing occasionally until five minutes to six, when she delivered a heavy discharge from all her guns. It is admitted that the "Guerrière" was the first to fire. United States writers tell us, without effect, her shot falling short. For upwards of an hour the "Guerrière" was exposed to the broadside of the "Constitution" of 17 24-pdrs., she herself keeping out of range, having the weather gauge. At ten minutes past six, the mizzen mast of the "Guerrière" fell over, bringing the ship up in the wind against the helm, owing to which she was exposed to a raking fire that swept her upper deck with grape. She further suffered from the musketry of the riflemen in the "Constitution." At 25 minutes past six the "Guerrière" fell on board her enemy, the bowsprit getting foul of his mizzen rigging. Boarders were called up, but the sea ran too high for the attempt to be made. Soon after the "Guerrière's" fore and main masts went over the starboard side, disabling some guns. The fore mast fell from the loss of rigging, and owing to the condition of the bowsprit. The main mast had been struck by lightning some months previously, and fell by the weight of the fore mast against it. It was uninjured by shot, and afterwards was found to be rotten in the centre. The "Guerrière" was now a complete wreck, rolling her guns in the water, when at 6.45 the colours were lowered from the stump of the mizzen mast. Every effort was made to save the ship, so that it might be brought a prize into port. It was found impossible

to do so, and on the following day she was set fire to. In a quarter of an hour she blew up.

The loss of the "Guerrière" was severe. Her second lieutenant, 14 seamen and marines were killed; her commander, master, two master mates, 28 seamen and marines were severely wounded: the first lieutenant, two midshipmen and 33 seamen and marines were slightly wounded. Total, 78. The "Constitution's" loss was two lieutenants of marines, and six men killed, a lieutenant, six men severely, and seven slightly, wounded. Total, 22. In the British service every wounded man, however slightly, records his name to obtain "smart money." In the United States list, such names were excluded. Seven men of American birth were on the "Guerrière." Dacres, with a sense of their situation, ordered them below out of the fight. They obeyed, with the exception of one man forward, who did not hear the order. There were at quarters, 258, 19 of them boys. Of this number 200 were as fine seamen as could be found in the navy.

This action has been much misrepresented by United States narratives, hence I have felt called upon to relate it at length. As it was the first of the actions it was the most important, for it awoke in England wonder and exasperation; the stronger that the event was unlooked for. The superior strength and force of the "Constitution" in no way entered the public mind, in face of the one great fact that a British frigate had been defeated in an action, ship to ship. Dacres himself never pleaded the superiority of his opponent, and the indiscretion of a remark made by him at his courtmartial increased rather than diminished the popular feeling.* That Dacres fought his ship gallantly and skilfully, and to the last, there can be no doubt: he had 78 out of 258 of his crew killed

* "I am so well aware that the success of my opponent was owing to fortune, that it is my earnest wish, and would be the happiest period of my life to be once more opposed to the "Constitution" with them (his old crew) under my command, in a frigate of similar force to the "Guerrière." The expression is somewhat vague, it does not say a vessel of such weak construction for a ship of war as the "Guerrière," and with guns of the same inferiority of power.

and wounded, about 4-13th of the whole. Dacres himself was wounded in the back by one of the foretop riflemen. Indeed, he narrowly escaped death. His gallantry is fully recognised at the present day. For a time a clamour was raised against him, many going so far as to say, that he ought to have preferred to have gone down in his ship, rather than surrender her. The folly of this extravagance soon passed away. It sprang from the feeling of the invincibility of the navy, and a belief, that, ship for ship, under any circumstances, a British frigate must be victorious. No account was taken of the fact that the United States vessels were superior in power of sailing, were more heavily armed, and fresh from port with a picked crew of nearly double the force, to a certain extent composed of the British seamen who had entered the mercantile marine. It was an experience to be continued during 1812, in the case of the brig "Frolic," and the frigates "Macedonia" and "Java." After this date there was an end to these disasters.

The capture of the "Frolic" took place on the 18th of October. This vessel, in 1807, had arrived in the West Indies. In 1812 she left Jamaica to collect and convoy the homeward bound vessels. Owing to the length of service her crew had suffered much in health, so that upwards of forty would have been invalided if the war had been known. On the 12th of September the "Frolic" heard that war had been declared, and of the loss of the "Guerrière." With the convoy she had experienced a severe gale on the 16th of October. The "Frolic" had her main yard broken, her maintop mast sprung, and had otherwise suffered. On the following day, while the men were at work on repairs to the main yard, a sail hove in sight, and, as the signals remained unanswered, the "Frolic" hauled to the wind, close reefed her top sail, and allowed the convoy to sail out of danger. The vessel was the "Wasp." The "Frolic" fired the first broadside; in about four minutes she brought down the "Wasp's" fore top mast, inflicting other damage, when the gaff head braces of the "Frolic" were shot away, and having no main sail, she

became unmanageable. The "Wasp" took up a raking position, while the "Frolic" could not bring a gun to bear. After considerable loss the "Frolic" fell on board the enemy, who continued to pour in her broadsides and did great execution by musketry. As the resistance became less and less the "Frolic" was boarded, not above 20 men remained on her deck unwounded. Consequently she surrendered. A few minutes afterwards, her masts fell over the side.

The "Frolic" lost 15 men killed: her first lieutenant and master were mortally, her commander and second lieutenant were severely wounded, with 43 of her crew. Total, 62 out of a crew of 92 men and 18 boys.

Captain Jones of the "Wasp" reported his dead at five. The same day, within two hours of the action, both vessels were taken by the "Poictiers," 74, when two dead men were found in the "Wasp's" mizzen top, and one in the main top mast, making the number of killed eight.

The following comparison can be made between the two vessels.

"Frolic."	"Wasp."
Length, 100 ft.	Length, 105 ft. 10½ in.
Breadth, 30 ft. 7 in.	Breadth, 30 ft. 7 in.
Guns, 19.	Guns, 20.
Broadside, 1 6-pdr. long gun.	Broadside, 2 9-pdr. long guns.
" 8 32-carronade.	" 8 32-carronade.
" 1 12-carronade.	
Weight of metal, 274 lbs.	Weight of metal, 268 lbs.
Crew, 92 men.	Crew, 138.
18 boys.	
<hr/>	
Tons, 384.	Tons, 434.

The crew of the "Wasp" * was a remarkable one in every respect. She had four lieutenants, 12 or 13 midshipmen, stout, able-bodied men, who had been mostly masters or mates of merchantmen, each one of whom could take charge

* The fate of the "Wasp" was to be taken into the British service. She foundered at sea some time in the spring of 1814.

of a ship. There was one lad only of 18. The remainder were stout and athletic, principally Irishmen, several of them deserters from the British ships. The "Frolic" had one lieutenant, one midshipman, and he a boy. Several of the crew were ready to be invalidated, all of whom behaved well in the fight.

Before the close of 1812, two other British frigates were taken, the "Macedonian" by the "United States," the "Java" by the "Constitution," the former on the 23rd of October, the latter on the 29th of December. They closed the list of the naval triumphs of the United States. A different story was recorded in 1813 and until the end of the war. The story of the "Macedonian" is soon told, although possessing the weather gauge, she was cut to pieces by the long guns of the "United States," that vessel keeping out of range. For half an hour she was exposed to the 24-pdrs. of her opponent, while her own 18-pdrs. fell short. When they closed, the "Macedonian" had been disabled by the fire to which she had been subjected. After an hour's action the ships came to close quarters. "In this situation," wrote captain Carden, of the "Macedonian," "I soon found the enemy's force too superior to expect success, unless some very fortunate chance occurred in our favour, and with this hope I continued the battle for two hours and ten minutes; when having the mizen mast shot away by the board, top masts shot away by the caps, main-yard shot in pieces, lower-masts badly wounded, lower-rigging all cut to pieces, a small proportion only of the fore-sail left to the fore-yard, all the guns on the quarter-deck disabled but two, and filled with wreck, two also in the main-deck disabled, and several shot between wind and water, a very great proportion of the crew killed and wounded, and the enemy comparatively in good order, who had now shot ahead, and was about to place himself in a raking position without our being enabled to return the fire, being a perfect wreck, and unmanageable log, I deemed it prudent, through a painful extremity to surrender his majesty's ship."

The loss of the "Macedonian" was, killed, the master's mate, the schoolmaster, boatswain, 23 petty officers and seamen, 2 boys, 1 sergeant, 7 privates, 7 marines; total, 36. Wounded: dangerously, 7 petty officers and seamen, two of whom died; severely, 1 lieutenant, 1 midshipman, 18 petty officers and seamen, 4 boys, 5 rank and file marines; total, 36. slightly, 1 lieutenant, 1 master's mate, 36 petty officers and seamen, 4 private marines; total, 32. Total killed and wounded, 104 out of a crew of 303.

The "United States" suffered in masts and rigging, but not in her hull. Her killed were 5, and wounded 7, but only a certain class of the wounded was included in the report.

The following is the comparative strength of the vessels:

"Macedonian," 49 guns.	"United States," 60 guns.
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Broadside:

14 18-pdr. long guns.	
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1 12-pdr.	"
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9 32-carronade.	
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1 12-pdr.	
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17 24-pdrs. long guns.	
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11 42-carronade.	
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1 12-pdr.	
-----------	--

5 4-pdrs. top guns.	
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Weight of metal in lbs., 564.

Weight of metal in lbs., 876.

Crew, 292, 22 of whom were boys. Crew, 478, including boys.

Tons, 1,081.

Tons, 1,533.

The "Macedonian" had left England only on the 29th of September; while proceeding to the North American station, on the 25th of October she fell in with the "United States," seven days from Boston. She was the only British frigate successfully taken into an United States port. Her band, composed of foreigners, at once entered the United States service.* Many of the British seamen also deserted. They were given money, promised land, kept under the influence of drink, and carried into the country beyond the control of their

* The "Macedonian" men recognised on the "United States" several old shipmates, and an officer's servant, a young lad from London named William Hearne, actually found among the hostile crew his own brother. After reviling the British, and applauding the American service, the brother used the influence of his seniority by endeavouring to persuade him to enter the latter. The youth, with tears in his eyes, replied, "If you are a damned rascal, that's no reason why I should be one." [James' Naval Occurrences, etc., p. 161.]

officers. The crew of the "United States" consisted of practised seamen, carefully selected, many of them known to be British sailors.

The court-martial on Carden, the captain of the "Macedonian," in its sentence placed on record, "The court is of opinion that previous to the commencement of the action, from an over anxiety to keep the weather gauge, an opportunity was lost of closing with the enemy, and that owing to this circumstance, the "Macedonian" was unable to bring the "United States" to close action until she had received material damage."

The last of these actions was that of the "Java" and "Constitution," fought off the coast of Brazil, on the 19th of December. The "Java" was proceeding to the East Indies and had sailed from Spithead on the 12th of November. She was carrying general Hyslop, the governor of Bombay, his staff, and some officers and seamen for the ships on the East India station, likewise a great quantity of stores. Two Indiamen accepted her convoy. On the 12th of September she had captured the ship "William;" a master's mate and 19 men were placed on board, with directions to keep company. On the 25th of December, being in want of water the "Java" stood in to San Salvador, in the bay of Bahia. The Indiamen, unwilling to go this distance out of their course, continued the journey alone.

On the 29th of December the "Java" discovered a sail to the south, and another at the entrance of San Salvador. She cast off the prize which she had in tow, and made all sail for the vessel in the offing. She was the United States ship "Constitution;" the vessel in shore was the "Hornet." The private signal remaining unanswered, the "Java" prepared for action. At half-past one, the vessel, discovered to be a large frigate, shewed United States colours. When within two miles of her, the "Java" hoisted her colours. The action commenced at ten minutes past twelve, when the "Constitution," then half a mile distant, fired two broadsides which were not returned until within pistol shot. The action

was continued until nearly three. The "Java" by this time, having suffered much, her rigging being cut to pieces and her fore and main masts badly wounded, Lambert, her captain, determined upon boarding, when the forecastle fell over. The bowsprit was shot away, and the end caught in the "Constitution's" mizzen rigging. The "Java" was brought up to the wind, but was foiled in her attempt to rake her opponent. The "Constitution," crossing the "Java's" bow, raked her, when the main top mast fell. At half-past three Lambert was mortally wounded; at a quarter past four the mizzen mast fell over. The "Constitution" continued to pour in heavy shot, and the "Java" was frequently on fire. At half-past four the "Constitution" got out of gun shot. The main mast of the "Java" was alone standing; while occupied in an endeavour to refit, it became necessary to cut away the main mast to prevent it falling on board, owing to the rolling of the ship. As the "Constitution" bore up to renew the action, lieutenant Chads, now in command, on mustering to quarters, found 110 missing, many guns disabled, all the masts and bowsprits gone, the ship making water, and one pump shot away. It was resolved to continue the engagement, with the chance of disabling the United States vessel, but, that it would be a waste of life to resist longer, if the enemy assumed a raking position. This course was taken by the "Constitution." When she was close, and getting her broadsides to bear, the "Java" struck at half-past five. Her loss was 22 killed, 102 wounded. The United States admitted 10 killed. It was always difficult to obtain the number of wounded, for many were not included in the return. The surgeon of the "Java," offering his assistance to dress the wounded, learned that 44 were wounded severely, 4 mortally.

Captain Lambert fell by a rifle ball from the "Constitution's" maintop; it entered his left side, and lodged in his spine. He lingered until the 4th of January, and was buried at San Salvador with military honours.

The "Constitution" avoided close action until the "Java" was disabled. Then she approached. It was by successive

raking fires, and by the discharge of the riflemen in her top that the British frigate had severely suffered. Thus the greatest loss was experienced when she had become unmanageable. The rigging of the "Constitution" was much cut up, her masts severely wounded, so much so that she proceeded to Boston to refit. The destination of the "Constitution" had been the South seas to join the "Essex," to gather a rich harvest from the British vessels she would take. But the injuries received in the action made a continuance of the cruise impossible.

When the prisoners were removed from the "Java" she was set on fire, although but 12 leagues distant from San Salvador, the weather being moderate. The cause was her shattered state, not as commodore Bambridge stated, from fear of taking her to a neutral port, for Bambridge himself entered the port carrying in the prize the "Eleanor" schooner which had been taken by the "Hornet," also the "William" ship recaptured.

The following is the relative character of the two ships:

"Java."	"Constitution."
47 guns.	55 guns.
Broadside :	Broadside :
14 18-pdrs. long guns.	17 24-pdrs. long guns.
1 9-pdr.	11 32-carronade.
8 32-pdrs.	1 18-pdr.
1 12-pdr.	

Weight of metal in lbs., 535. Weight of metal in lbs., 754.

Crew, 370, 23 of whom were boys. Crew, 480.

Tons, 1,073. Tons, 1,533.

About 50 of the "Java's" crew were good seamen, otherwise the vessel was indifferently manned. The men fought gallantly enough, but they were undisciplined. When the "Java" was being put in commission, the "Guerrière's" loss had been known in London some seven weeks. Lambert's urgent application, to obtain a crew reasonably good, had obtained no attention at the admiralty. He was told by the officials of the difficulty of obtaining men, and that the crew would become disciplined in its voyage to the East Indies.

It was said of the "Java" that whatever her strength numerically, she was the least effective frigate of her class.

There is a point on which I cannot be silent. When the prisoners from the "Java" were brought upon the "Constitution," they were handcuffed; a proceeding unknown on a British ship except under explicable circumstances. There was no such cause on this occasion, except fear from the number, dictated by their resolute conduct in the action. Moreover, they were robbed of their property. General Hyslop received his service of plate from the United States government, but he was a passenger, not a combatant. One consequence of the cruel treatment by the captain of the "Constitution" of the crew of "Java" was, that in spite of the offer of money, the promise of land, and a liberal supply of drink, they steadily refused to enter the United States service, excepting three, who unworthily accepted the offers made to them.

There are two more actions to which I will briefly allude, that of the "Hornet" and "Peacock," and, the "Dominica" and "Decatur." The first action was fought on the 24th of February off Demerara. In 25 minutes, having been totally cut to pieces and in danger of sinking, the "Peacock" hoisted a signal of distress. Soon afterwards her main mast went by the board, and shortly afterwards she sank. When she went down, it was stated by Lawrence of the "Hornet" that she carried with her 13 of her own, and three of the "Hornet's" crew; four of the former were saved, and four took to the stern boat and reached Demerara in safety, so eight remained unaccounted for. Captain Peake of the "Peacock" was killed early in the action, with four seamen. The wounded were her master, a midshipman, the carpenter, captain's clerk, with 29 seamen and marines, three of whom died.

The damages of the "Hornet" were a shot through the fore mast, and bowsprit injured, with a loss of 2 killed and 3 wounded. Total, 5.

The statement was made by captain Lawrence that the British brig "l'Espiegle" was about 6 miles in shore, and

could plainly see the whole action. It was, however, contradicted by the positive assurance of lieutenant Wright of the "Peacock," that the brig was invisible from the mast-head of the "Peacock" for some time previous to the action. The commander of the brig "l'Espiègle," captain Taylor, was afterwards tried by court-martial for failing in his duty when in pursuit of the "Hornet" after the capture of the "Peacock," and acquitted. I may mention that another charge was brought against Taylor, for neglecting to exercise the ship's company at the great guns. On this he was found guilty and sentenced to be dismissed the service; but, owing to his former services, recommended to favourable consideration.

The following represents the character of the two vessels:
"Peacock" "Hornet"

Length, 100 ft. 3 in.	Length, 112 ft.
Guns, 19.	Guns, 20.
Broadside, 1 9-pdr. long gun.	Broadside, 1 12-pdr. long gun.
" 8 24-carronade.	" 9 32-carronade.
Weight of metal in lbs., 213.	Weight of metal in lbs., 300.
Crew, 110.	Crew, 167.
Tons, 386.	Tons, 453.

The "Hornet" had three lieutenants, a lieutenant of marines, and a great shew of midshipmen, and no boys; her crew picked men.

The "Peacock" had been long on the West Indian station, duty which had told on the health of the crew, among whom were 17 boys.

An incident occurred at San Salvador which had some bearing on subsequent events, as it could not but have influenced Lawrence, when subsequently transferred to the "Chesapeake." It entailed upon him the acceptance of a challenge offered by the presence of the "Shannon" lying off Boston, and given by the messages sent in by the British commanders, for one of the frigates to come out and fight.

Previous to the action of the "Peacock," H.M.S. "Bonne Citoyenne," captain Pitt B. Greene, was in San Salvador with half a million sterling of specie on board, which she had

brought from Rio de la Plata. A king's packet, bound to England, was also in the harbour. The United States consul, a Mr. Hill, was notoriously anti-British in his feeling, and the United States naval officers were frequent visitors at his house.

The freight of the "Bonne Citoyenne" was well known, and both Bambridge and Lawrence, as naval officers were aware that the commander of the British ship dare not engage in a service, at variance with his special orders. Nevertheless, conceiving the occasion offered the opportunity for some cheap display of enterprise, the United States consul was the bearer of a challenge to the "Bonne Citoyenne" to fight. It was declined through the British consul.

The correspondence is a curious production. Lawrence requested the consul to make his wishes known to captain Greene that he would meet him whenever he would be pleased to come out, and pledged his honour that neither the "Constitution" nor any other vessel should interfere. On the part of Bambridge, the consul added his own words, "I pledge my honour to give him the opportunity, by being out of the way and not interfering."

Greene did not assign the true reason, that his special duties prevented the acceptance of any such challenge, but replied, "I am equally convinced that commodore Bambridge could not swerve so much from the paramount duty he owes to his country, as to become an inactive spectator, and see a ship belonging to the very squadron under his order, fall into the hands of an enemy." The appearance of the "Montague" 74, shortly afterwards, settled the matter, and the "Bonne Citoyenne" sailed in her company. Even admitting that the fight had taken place, and the "Hornet" had been captured, what pledge was there against re-capture by the "Constitution?"

Nevertheless, Bambridge on his arrival in the United States published a letter recounting the event, claiming that the "Bonne Citoyenne" was a larger vessel, and of greater force of guns, and he considered the refusal of captain

Greene to meet the "Hornet" as a victory gained by the latter. This bombast had its weight with certain journals, for the fact of the specie freight that the vessel was carrying was suppressed. Her crew indeed was 25 less than that of the "Hornet," but they were in excellent discipline; Greene was a good officer and would have given a good account of himself.

It was with this known fact of this challenge to the "Bonne Citoyenne," claimed by the friends of Lawrence as a victory on his part, that when in Boston harbour in command of the "Chesapeake," in June, 1813, he sailed out to engage captain Broke of the "Shannon," to fight ship against ship. The "Shannon" with the "Tenedos" in April had reconnoitred Boston harbour, and had discovered the "Congress" ready for sea, the "President" nearly so, and the "Constitution" undergoing repairs. The "President" and "Congress" put to sea on the 1st of May and avoided the two British frigates. The "Chesapeake" had also entered Boston harbour on the 13th of April. Hearing that the "Chesapeake" would be ready for sea on the 25th of May, and the "Constitution" would be able to accompany her about the 14th of June, the "Shannon" taking a supply of water and provisions from the "Tenedos," detached her with orders not to rejoin before the 14th of June.

In June, Broke addressed Lawrence, asking that as the "Chesapeake" was ready for sea, he would meet the "Shannon," to try the fortune of their respective flags. He wrote that they had been much disappointed in not meeting commodore Rodgers after the diligent attention paid to him, and the various verbal messages sent in to Boston. Detailing the armament and crew of the "Shannon," he suggested the place of meeting. He pointed out that the "Chesapeake" could not proceed to sea singly "without risk of being crushed by the superior force of the British squadron, . . . where all your efforts in a case of rencontre would, however gallant, be perfectly hopeless." Broke continued, "You will feel it as a compliment if I say, that the result of our meeting may be

the most grateful service I can render my country ; and I doubt not that you, equally confident of success, will feel convinced that it is only by repeated triumphs in *even combats, (sic)* that your little navy can now hope to console *your* country for the loss of trade it can no longer protect. Favour me with a speedy reply. We are short of provisions and water, and cannot stay long here."

In a postscript, Broke explained the necessity of keeping the two British ships in company, and that he could not long detach his consort without an assurance of meeting Lawrence. He asked, that Lawrence should neither seek nor admit of aid, while he himself would detach the assistance on which he could count. Should a special order interfere with a formal answer being given, he suggested that the proposal should be kept secret, and they should meet in a given number of days within 300 miles of Boston. The letter concluded, "Choose your terms but let us meet."

The challenge was confided to a captain Slocum, a discharged prisoner, who departed in his boat for Marblehead, a port north of Boston.

Broke, with colours flying, stood in close to the Boston lighthouse, and lay to.

His letter did not reach Lawrence. On the 1st of June, the "Chesapeake" was observed under sail, before Slocum's boat had reached the shore. The "Shannon" now stood out from land. About four, the "Chesapeake" fired a gun, as if in defiance. The vessels were at this time about 7 miles distant. The "Shannon," with her sails brailed, and her main top-sail braced flat that the "Chesapeake" might overtake her, merely retaining steerage way. The "Chesapeake" had three ensigns flying, with a large white flag at the fore, inscribed, "Free trade and sailors' rights." The "Shannon" had simply a rusty blue ensign at the peak.

About half-past five, the "Chesapeake" luffed up on the "Shannon's" starboard quarter. Two shots were fired from the "Shannon" before the "Chesapeake" commenced firing, when she discharged her whole broadside, to which the

"Shannon" replied as fast as the men could level with precision. In about seven minutes the "Chesapeake," having her jib sheet, and foretop sail shot away, fell on board the "Shannon;" the fluke of the "Shannon's" anchor, which had been stowed in the chains to trim the ship, entered the "Chesapeake's" quarter gallery window. The shot from the "Shannon's" aftermast guns beat in the stern ports, and swept the men from their quarters, while the shot from the foremost guns entered the ports from the main mast aft. Broke seeing the quarter deck divisions deserting their guns shouted out "Board." Accompanied by the first lieutenant and 20 men, he sprang on the quarter deck; some 20 of the "Chesapeake" made a slight resistance but they were driven to the forecastle. In their endeavour to descend the hatchway, they prevented any passage downwards, and some few scrambled over the bows, and reached the main deck by the bridleports; the remainder who were on deck submitted.

The "Chesapeake's" foretop was stormed by midshipman Smith, and by the top men who passed from the "Shannon's" foreyard to that of the "Chesapeake" yard, also braced up. Thence they mounted to the top, and destroyed, or drove on deck all stationed there.

Between 30 and 40 marines followed the boarding party, and kept down the men ascending the main hatchway, and answered the fire kept up from the main, and mizzen tops. Broke, observing that the contest was going on aft, sent his men to aid those engaged, and placed a sentry over the "Chesapeake" men who had surrendered. He was giving orders to answer the fire from the main top, when the sentry called loudly to him. He turned, and found that three of the men who had surrendered, seeing they were at the time superior in number to those about them, had again taken up arms. One of them thrust at Broke with a pike, but the blow was parried and the assailant wounded in the face. The man on his right now struck Broke with the butt end of a musket, which bared his skull, and nearly stunned him; the third assaulted him with a broadsword. A seaman of the "Shan-

non" came up, and cut the man down with his cutlass, while a marine bayoneted him. Besides Broke, one seaman was killed, and two or three were wounded. All the "Chesapeake" crew concerned in this treacherous attempt paid the penalty of their lives, owing to the indignation of the "Shannon's" men. It was as much as Broke could do, to save from their fury a midshipman, who had slid down a rope and asked his protection.

One of the seamen, who was tying a handkerchief round Broke's head, here called to him, "There goes up the old ensign over the Yankee colours." As it was being hoisted Broke walked up the quarter deck, and sat down on one of the carronade slides. A melancholy incident was connected with hauling down the United States flag. Not knowing the "Chesapeake" had struck, the guns were still being discharged from the "Shannon," and, while hoisting the British ensign, Watt, the first lieutenant, was struck on the head and killed; three or four of the crew of the "Shannon" shared his fate. Firing was continued from the main hatchway after the British colours were flying, by which a marine was killed, when lieutenant Falkener, of the "Shannon," directed some muskets to be fired down in return. Broke, severely wounded as he was, ordered that a summons should be made for surrender, if quarter was desired. Upon which the cry arose, "we surrender." Broke now fainted from loss of blood, and was carried to his own ship.

Between the discharge of the first gun, and the period of boarding the "Chesapeake," only 11 minutes passed; in four minutes more, the colours were hauled down. What was regarded as a fortunate instance in the event, from the British point of view, no British ship appeared in sight during the contest, in any form to influence it. Numerous spectators, several hundreds, watched the fight from Boston and the neighbourhood. They were astonished at the short duration of the firing. Several private yachts and gun-boats were also on the water. By eight o'clock in the evening the

prisoners were divided and secured. The "Shannon," with her prize, then sailed for Halifax ; they arrived on the Sunday following, the fifth day after the action.

Five shots passed through the "Shannon," one only below the main deck ; several lodged on the starboard side, and a long iron bar was seen sticking out of her copper. A large quantity of old iron, composed of crowbars, broken marling spikes, etc., was taken from the "Chesapeake." Its only use was to furnish a charge to the guns, and to render their effect the more destructive. The whole, weighing about half a ton, was sold at Halifax. Many of the wounded seamen suffered greatly from being struck by the canister shot of the "Chesapeake," which included angular and jagged pieces of iron, broken gun-locks, copper nails, with much of this character. Until the shot holes were stopped, the "Shannon" made a good deal of water. Her fore and mainmasts were slightly injured. Her first lieutenant, purser, captain's clerk, 20 seamen and marines, and one boy were killed. The wounded numbered 56, including the captain and boatswain, the latter of whom died from his wounds. Total, 83.

The "Chesapeake" was severely battered on the starboard quarter, a shot passed through one of her transoms, which, it was remarked at the time, was as stout as that of a 64 gun ship. Several shot entered the stern windows. Four of her guns were dismounted, and several carriages broken. Her lower rigging and stays were much cut. The killed were the master, lieutenant of marines, 3 midshipmen, and 56 petty officers, seamen and marines. Total, 61. The wounded numbered 115, including captain Lawrence,* lieutenants Ludlow and Browne, one or two midshipmen, and several men who died from their wounds. Total, 176.

* I can find no authority for the saying attributed to Lawrence, "Don't give up the ship." They are described as his "dying words." The fact is, Lawrence did not die until the 5th of June, during the voyage to Halifax. The action was fought on the 1st. His body, with that of Ludlow, was subsequently brought to New York on the 11th of September, and buried with great religious ceremony at Trinity church. If I am not misinformed, the tradition is not accepted by writers of the modern critical school of the United States.

The following is a comparison of the two vessels :—

"Shannon." "Chesapeake."

Guns, 52.

Guns, 49.

Broadside :

14 18-pdrs. long guns.

15 18-pdrs. long guns.

2 9-pdrs.

10 32-carronades.

8 32-carronades.

1 12-carronade.

Weight of metal in lbs., 538. Weight of metal in lbs., 590.

Crew, 330.

Crew, 391.

Tons, 1,066.

Tons, 1,135.

The "Shannon's" crew consisted of 276 officers, seamen and marines, 8 recaptured seamen, 24 boys and 22 Irish supernumeraries, 4 only of whom could speak English. The Irish had been on board but a few hours. On the afternoon of the 30th, the "Shannon" had met the British privateer brig "Sir John Sherbrooke." Among her crew were 52 Irish labourers. They had been taken three days previously with the United States privateer, "Governor Plumer." The last named vessel had captured the ship "Duck," from Waterford to Burin, Newfoundland. The commander of the "Sir John Sherbrooke" had indeed persuaded 30 of the number to join his vessel. The "Shannon" had pressed the remainder. These men behaved admirably during the fight. It has been said, that their native gallantry had certainly not decreased by the harsh treatment they had received, when on board the United States privateer.

Such is the British account of this celebrated action, and I believe that in modern times it is not contested. I have striven to narrate it without exaggeration, and have avoided controversy. The defeat was acutely felt throughout the United States, and apologies and explanations have been offered for it in all directions; but I can find no facts to warrant a departure from the narrative I have given. What greatly depressed public feeling in the United States was the false representation which had been given to the actions of the "Guerrière," the "Macedonian," and the "Java," when

taken by the United States ships. The public had been taught that the British vessels were superior in force of guns and men, an opinion by no means extinct. United States writers, when alluding to the disaster of the "Chesapeake," still describe the event as celebrated in England with extravagant rejoicings, as if it was but a small affair after all, in no way justifying any exhibition of public feeling. I will not, however, enter into this point. What justified the national exultation was that the disasters of 1812 were closed. The three frigates taken constitute the list. These reverses had been experienced by us, owing to the superiority of force, in every respect undoubtedly brought into action with skill and judgment. In this case there was equality of strength, and where greater force can be traced, it was with the crew of the United States frigate.

About the time of this event, the "United States," "Macedonian," and "Hornet," in attempting to get to sea through Long Island sound, were intercepted by a British squadron and forced to seek refuge in New London. The militia were called out to resist any attack upon them. It was not, however, the design of the British naval authorities to attempt any expeditions by land, although there was the strongest desire to retake the "Macedonian," the one British frigate which had safely reached an United States port. The British ships continued in the offing blockading these vessels; and they remained in harbour, for every attempt to get to sea failed. A formal blockade also of New York, the Delaware, the Chesapeake, Charleston, Savannah, and the mouths of the Mississippi had been proclaimed, and rigorously maintained.

I can only briefly allude to the events which followed. In March, 1813, admiral Cockburn, in the "Marlborough," 74, with frigates and smaller craft, entered Chesapeake bay. His design was to capture the "Constitution," lying in James' river, near Norfolk, but she was removed to a safe position higher up the stream, where she remained inactive until the close of the war. Admiral Warren arrived at the end of

March with the "San Domingo" and other ships. Ascending Chesapeake bay, Warren detached some ships to attack four armed schooners lying at the mouth of the Rappahanock. The breeze failing, the boats were sent to the attack. The British force was :

" San Domingo,"	pinnace,	23	men, with	1	12-pdr. carronade.
" Maidstone,"	launch,	21	"	"	"
" Marlborough,"	barge,	21	"	no guns.	
"	cutter,	19	"	"	
" Statira,"	"	21	"	"	
	Total,	<u>105</u>	"		

The vessels taken were :

The " Arab,"	7	guns,	45	men,	surrendered.
" Lynx,"	6	"	40	"	"
" Racer,"	6	"	36	"	boarded and taken by "San Domingo's" pinnace.
" Dolphin,"	12	"	98	"	boarded from "Statira," cutter, and "Maidstone," launch.
	Total,	<u>219</u>	"		

After the junction of the squadron the effort was to penetrate the rivers at the head of the bay, cut off the supplies, destroy foundries, stores, and public works, particularly flour and military stores. An attack was made on Frenchtown on the Elk on the 28th of April. There was but little resistance, and the inhabitants of the town were in no way molested. A large quantity of flour, with clothing and equipment for cavalry, was burned; the guns which could not be brought away were disabled. Early in his operations, Cockburn made known, that he would not molest the inhabitants who did not oppose him. His desire was confined to the destruction of stores, and the munitions of war. Where he was allowed to land unopposed for supplies, he would pay full market price for what he received. If resistance were offered, the town would be regarded as a fortified post, and the inhabitants considered to be soldiers; in such a case, the towns would be destroyed, and the men with their cattle would be captured.

On the way down the Elk they came to a large estate, on which there was a plentiful supply of cattle. The overseer was directed to pick out what was required, for which full payment was made.

Having learned that there was a quantity of provisions at Specuncie island, the ships proceeded to that place. On passing Havre de Grace, although the vessels were far out of range, a discharge of a six-gun battery was fired, and the United States flag displayed. The squadron reached the island, and received the required provisions, for which payment was made. On the complaint that some turkeys had been taken, the rear admiral himself gave the value of them. On his return Havre de Grace was visited, a landing was made, the men were driven from the battery, and the militia scattered. The inhabitants still keeping up a fire behind the houses and under cover, lieutenant Westphall went forward with a flag of truce to call upon them to cease resistance. He was shot in the wrist of the hand that held the flag. The town was immediately taken. The seamen and marines, made furious by the flag not being respected, destroyed the empty houses of those that fled, and carried away their property. The houses of those who remained were untouched. Several owners, who had abandoned their dwellings, now returned, principally women, and went to the boats to claim their property, which was restored. A captain of militia and some men were taken prisoners. The six guns of the batteries, and about 130 stand of arms were taken or made useless.

A cannon foundry in the neighbourhood was also destroyed. It contained 5 long 24-pdrs., and 28 long 32-pdrs., 8 long guns, and 4 carronades. Boats also were sent up the river, where they obtained 5 vessels and a quantity of flour. The villages of Georgetown and Fredericktown were visited in search of supplies. The prisoners who had been captured, were sent to caution the inhabitants not to resist. In such a case, vessels and public property only would be seized, and payment would be made for what was required for the squadron, received

from private sources. Nevertheless, resistance was experienced in both places. It was, however, of short duration; the places were taken in possession. The houses of those who had been prominent in resistance were burned, likewise 4 vessels in the river, with some stores. Those who had remained in their houses were uninjured. Two other towns were visited, but as no opposition was offered, the inhabitants were not troubled in any form.

The United States schooner, "Surveyor," mounting six 12-pdr. carronades, was taken by the boats of the "Narcissus" with 40 men, after a determined resistance. Her crew consisted of only 16 men. On her surrender, lieutenant Cruice returned to commander Travers of the "Surveyor," his sword, owing to his resolute defence, giving him likewise a letter bearing testimony to his gallant conduct.

On the arrival of the "Junon," 46, on the 18th of June, she anchored at Hampton roads. Captain Saunders sent his boats to capture or destroy any vessels that were in James river. Commodore Cassin, the senior officer at Norfolk, with 15 gun-boats in his command, having strengthened their crews, by the seamen and crews of the "Constellation," then in the navy yard, and also with some infantry, ordered an attack of the "Junon." On the 20th of June the attack was made. The boats carried 30 guns, half of which were 32-pdrs. and 24-pdrs. The action took the form of the ordinary United States attack, of firing at long distances. The only consequence of this discharge was, that the "Junon" received one or two shots in her hull, and one man was killed. A breeze now sprung up, and the "Barossa," 42, and the "Laurestina," 28, got under way. The "Junon" also made sail to come nearer to the boats, but they made the best of their way back to Norfolk. The result of this action established the opinion, of the worthlessness of gun-boats in such an encounter, for in the action they had been entirely without effect.

The tide of success was checked by the failure of the expedition against Craney island at the mouth of the Elizabeth river, the possession of which, it was held, would greatly facili-

tate the operations against Norfolk. Indications that the attack would be made led to 150 of the crew of the "Constellation," with other reinforcements, being detached for the defence of the place. The island, half a mile in length, flat and bare of vegetation, oblong in shape, had some 18-pdrs. in position in the north-west, and two 24-pdrs. and one 6-pdr. on the west. It was held in addition to the seamen, by 600 Virginians, and some regulars. The 15 gun-boats were also placed in position on the west of the island, at the mouth of the Elizabeth river. On the morning of the 22nd of June, some 18 boats with 800 men under major-general Beckwith, disembarked without opposition, on the main land near the narrow inlet south of the island. Unlooked for obstacles presented themselves, and, as the attack was considered hopeless, the troops re-embarked and returned to the ship. Beckwith's explanation was that he was stopped by creeks too deep to ford.

A second division of boats, 15 in number, under the command of captain Pechell, of the "San Domingo," arrived at the north-west of the island about eleven, in front of the battery manned by the seamen of the "Constellation." The force consisted of 500 men of the 102nd, a regiment composed of foreigners, and a battalion of marines, with 200 seamen. Difference of opinion arose on the subject of the attack. Two of the naval officers held that, as the tide was at the ebb, its continuance would be injudicious. In this view they were sustained by the officer of engineers. Pechell, the senior officer, was in favour of disregarding this consideration, and of proceeding with the attempt. His view decided the point; captain Hanchett volunteered to lead the boats in the "Diadem's" launch. As he was advancing some 60 yards in advance of the force, and had reached within 100 yards of the battery, Hanchett, who had been standing up animating the crew, wrapped a union jack round his waist, and was preparing to jump overboard, leading the way for his men to wade ashore, and storm the battery, when one of the seamen plunged his boat-hook over the side, and found

from three to four feet of slime and mud. It was plain that landing at such a spot was impossible. Hanchett waved his hat for the boats to avoid the shoal ; but in the excitement of hurrying forward, the warning was disregarded, and some of the boats grounded.

The United States officers at the battery, knowing well that this impediment must be met, had anticipated the consequence, and a heavy fire was directed against the advancing boats. Hanchett's own boat was sunk, and himself wounded in the hip. Three others also were sunk, 3 men killed, and 16 wounded. While the crews were struggling for their lives in the water and the mud, the marines of the "Constellation" and men of the infantry waded into the water, in order that they might more deliberately fire at them, at a reduced distance. The attack thus ceased. Of the naval force none were killed. The wounded consisted of one officer, and seven seamen. Of the land forces three were killed, and eight wounded. The missing were 10 seamen, and of the land force 53. Total, 63.

Among the land forces, a regiment composed of foreigners, bore the title of "Canadian Chasseurs." There was a regiment of that name in Montreal, but with this so-called Canadian regiment the province had nothing to do. There is no trace of any such regiment having been raised in Canada for foreign service ; indeed, it was impossible it could be the case. Canada was so sorely pressed for soldiers to defend the frontier, that she had none to send from the country. It was a regiment composed entirely of foreigners, and will be again heard of, for their disgraceful conduct at Hampton. Who took upon himself to give the name of Canada to this corps has never been explained. Wilkinson described it as foreign "renegadoes under British officers." It must be distinctly understood, that Canada had not the slightest connection with the subsequent disgraceful conduct of the men composing it. The province had not even cognizance that such a title had been assigned to a regiment. Of the 63 missing men, 45 belonged to the so-called "Canadian

Chasseurs ;" 40 succeeded in reaching the shore, the whole of whom are reported to have joined the United States force. Consequently, 23 of those who were in the boats must have been drowned, or shot by the United States troops, who waded out to fire upon them, when without arms and endeavouring to escape drowning.

The impression cannot be resisted, that there was a singular want of judgment and proper precaution in the attack of Craney island. An attack of boats sent by daylight to feel their way over shoals and banks of mud, in the face of a heavy battery, could effect but one result. The men could not land, and were exposed to a continuous discharge of heavy guns to meet destruction, until they retreated out of fire. The military operations were inexplicable. Beckwith on landing, found he could do nothing, and returned to his ship. He does not appear to have offered aid to the foremost boats, or even to have made any effort towards saving the men. Evidently, there was an absence of forethought, and wise combination.

On the 25th of June, Warren directed the attack of Hampton on the north shore of James river, some ten miles from Craney island. A post had been established at this place, to command the communication between the upper part of the county and Norfolk.

On the morning of the 25th of June, Beckwith with 2,000 men embarked in a division of boats, under the orders of rear-admiral Cockburn. Before daylight of the 26th, colonel Napier with 650 men, landed 2 miles to the west of the town, and marched towards the rear of it. While Cockburn's ships attacked the bastion from the front, the British force came upon the flank of the United States force so unexpectedly, that it changed its position to the rear, when their camp was taken with 4 12-pdrs., 3 6-pdrs., the ammunition, and 3 covered waggons and 3 horses. The British loss was 5 killed, 33 wounded, and 10 missing. No return is given of the United States loss, but it has been estimated at 100.

So soon as the United States force was driven from the

town, the so-called "Canadian Chasseurs" engaged in plunder and acts of violence. Napier wrote in his diary that Beckwith ought to have hanged several, for every horror was perpetrated with impunity; rape, murder, pillage, and not a man was punished. So soon as the conduct of these men was known, and it is claimed that those who were guilty of it were the "Chasseurs" only, orders were sent to collect the companies, and they were placed apart, a regiment being set over them. The story of this violence, certainly bad enough, was reported over the United States with every exaggeration. It is not possible to define the extent of the outrages committed. The probability is that they consisted chiefly of plunder. The statement of the violation of women is discredited. The troops composing the expedition consisted of Napier's regiment, the 102nd, which may be dismissed from the investigation, the marines, and the foreign troops in question. The marines were in a high state of discipline. Those who acted in the infamous manner described, were this foreign legion; their misdeeds seem to have been confined to plunder, and brutal treatment of any who resisted their violence.

Shortly after, the commander of this foreign legion reported to the officer in command, that he had remonstrated with his men for their conduct at Hampton, and they had replied that they would shew no quarter to any United States men who fell into their hands, in consequence of their comrades having been basely fired upon, when striving to save themselves from drowning. The companies were immediately ordered from the coast, and the so-called "Canadian Chasseurs," or "Independent Foreigners," for both names are given to them, ceased to be employed on active service.

On the 11th of July, a detachment was sent to Ocracoke harbour, at North Carolina, where two vessels were taken, the "Atlas," letter of marque of Philadelphia, and the "Anaconda" of New York, with 18 long 9-pdrs. Ocracoke and Portsmouth were also occupied. As the inhabitants offered no resistance, their property was not molested.

The object of these expeditions was to awaken fears in the United States for their own territory, the whole seaboard of which was now threatened, in order to divert from Canada the heavy masses of troops being sent forward, to the conquest of the provinces. It was the one point on which their efforts were concentrated, and from the failure of every attempt the feeling of disappointment was most acute. Nevertheless, great exertions had been made in the north, as the preceding chapters testify. Little account is given in United States histories of the treatment that the inhabitants of Canada, known to be loyal, received at the hands of the garrison of fort George while they held possession of it. But the fact remains, that the effort was directed to render the country uninhabitable, so that no resistance would be there experienced. On the other hand, the most untrue and exaggerated narratives are given of the operations of the British on the Atlantic coast. They were propagated by the war party, and the supporters of the administration, in the hope of exciting exasperation against the British, and turning public feeling in favour of the war. Already the population had begun to tire of it. In Canada there had been a series of reverses. The only redeeming success had been Perry's victory on lake Erie, and the re-possession of Detroit, with the disaster of Procter's retreat. In Canada these disasters had passed out of mind, and the closing events of 1813 had confirmed the security of the province against any attempt to conquer it.

There is one more naval action of the year, which took place in British waters, on the 14th of August, between the brigs "Pelican" and "Argus." The "Argus" had landed Crawford, the United States minister, at L'Orient, in Brittany. Her captain, Allen, had received instructions to cruise off the British channel, and he remained for a month sailing between Brittany and Ireland, before his presence was known. It was too hazardous to attempt to carry all his prizes into a French port, although within easy reach. Of the twenty vessels taken, the "Argus" destroyed all but five. Two she

gave up to her prisoners, one reached a French port, two were re-captured in their attempt to arrive in France.

The "Pelican" arrived at Cork on the 12th of August from a cruise, and the next day she was ordered to go in quest of the "Argus," whose depredations were now known. On this day the "Argus" had taken a prize off Milford haven, and had burned it. It was the flames of the vessel which betrayed the situation of the "Argus." At four o'clock on the morning of the 14th, the "Argus" was discovered. She made no attempt to avoid a contest. Seeing the "Pelican" was a brig, as Allen subsequently expressed himself, he was confident of taking her in ten minutes, and she remained to engage. She fired her first broadside at six o'clock. It was immediately returned by the "Pelican" with three cheers. The firing was continued for forty-five minutes, when the "Argus" was boarded and carried without resistance, and the colours were hauled down. The loss of the "Pelican" was, the master's mate, Young, killed while leading the boarding party by a shot from the fore-top, and one seaman; with 5 seamen wounded. The "Argus" had killed, 6 seamen; the wounded were, captain Allen, 2 midshipmen, the carpenter, boatswain's mate, and 3 seamen mortally; the first lieutenant and 5 others severely, and 8 others slightly; total, 24.

The following shews the dimensions of the vessels :

"Pelican."	"Argus."
Length, 100 ft.	Length, 95 ft. 16 in.
Guns, 21.	Guns, 20.
Broadside :	Broadside :
I 6-pdr. long gun.	I 12-pdr. long gun.
8 32-carronade.	9 24-pdr. " "
I 12-carronade.	
Lbs. weight of metal, 274.	Lbs. weight of metal, 228.
Crew, 116, of whom 12 were boys.	Crew, 125, picked seamen.
Tonnage, 385.	Tonnage, 316.

Two other captures by the United States were made in 1813, the "Dominica," with a crew of 77, taken by the "Decature," privateer schooner, with a crew of 121. It was

not until the third attempt that the vessel was carried by boarding, after a loss of 13 killed and 47 wounded. The surgeon and one midshipman were the only officers not killed or wounded. The crew of the "Decature" was 121, and at the last attempt at boarding every man was brought up. The struggle was really two to one.

The "Boxer," brig, was also taken in September with a crew of 66, by the "Enterprise," with a crew of 125. At the first broadside Blyth, the captain, was killed. In the action three seamen were killed and 17 wounded, making a total of 21. In the court-martial one Hugh James, doing duty as master's mate, and three seamen, were censured for cowardice.

I have brought down the close of the campaign in Canada to 1813, with the operations on the Atlantic coast by the British fleet to the same date. One of the main motives of the operations of that fleet had been fully attained; that of making war onerous and painful to the country that had wantonly declared it. Before the close of summer, the ports of New England excepted, which were left open to neutrals, the whole coast was blockaded. No vessel could even pass through Long island sound. The United States coasting trade ceased to be. No vessel left, or entered any port except the privateers, and some fast sailing vessels content to run the risk of capture. The privateer trusted entirely to her speed. She carried one long gun, with six or eight light broadside guns. Her one object was to prey upon British commerce. She was built to sail swiftly and to escape, not to fight anything stronger than an armed merchantman. Her crew numbered from 120 to 170 seamen. She hung about the West Indies, and the course traversed by merchant ships. Most of these privateers were eventually taken, but they accomplished much mischief while they roamed over the ocean. Their dangerous occupation led them constantly to run the blockade, but they were the exception.

Consequently, the internal inter-state trade was entirely stopped. Flour, which at the south was worth \$4.50, in Boston sold for \$12. The price of cotton was upwards of

double in New England of what it was at Charleston. Rice increased four-fold in value even in Philadelphia. Sugar rose 60 per cent. in the south. Tea could be bought only for from \$3.00 to \$4.00 a lb. Sugar was \$22.00 the cwt. at New York.

The import revenue in the blockaded ports almost ceased. In New York, from twelve millions and a half it fell to a trifle over \$200,000. Indeed, at the close of the war it had ceased, except in Georgia and New England.

The whole community was affected. The farmers could not sell their crops, and were forced to pay for ordinary necessaries all that the speculators could obtain. Manufactures were paralyzed. The southern coasts did not obtain a moment's reprieve. The inhabitants lived in a continual panic. The war party had hurried the country forward. They had held that England was dwarfed by the power of Napoleon on the European continent, and was entangled in a war from which she must issue broken and subdued, her power gone, her strength passed away. They had been sternly awakened from this dream. They had found the little finger of the mother country, by the war party hated and looked upon as decrepit, stronger than the loins of the imaginary power, which the boasters and politicians and intriguers of the backwoods had never ceased to describe as so mighty in force and vigour. In the words of the prophet Hosea, they had sown the wind, they were now reaping the whirlwind.

BOOK XXX.

THE WAR OF 1812;

THE CAMPAIGN OF 1814

AND THE

CLOSE OF THE WAR.

CHAPTER I.

Sir George Prevost called together the legislature of Lower Canada on the 13th of January, 1814. He congratulated the province on the successes I have narrated, and appealed to the patriotism and courage of the population, to submit to the further sacrifices the war exacted, and not relax its vigilance and exertions in the defence of the country. One of the first considerations was the necessity for extending the provisions of the army bill act, to admit the issue of £1,500,000 * currency, and the law was so amended.

Although the province was passing through the throes of war, severely taxing the energies of the people, and the common feeling was, that the struggle was truly one of life and death, the majority in the legislature persevered in the introduction of political issues, that could only create discord, and could not possibly lead to any beneficial result. The measures were brought forward to assure party triumphs, and whatever the faith felt in the wisdom of the change proposed, or however expedient it might be considered, the hour was certainly not propitious for any such agitation. The exactions and personal sacrifices entailed by the war were, at the time, little felt in the French Canadian parishes. There was never even a surmise, that Montgomery's invasion of 1775 would be repeated. Upwards of a quarter of a century had elapsed since that event had taken place, and with the exception of the fact that a large number of the youth were present in the militia, the social life of Lower Canada had met with little interference. Her seaport was not blockaded, supplies were in no way wanting, nor was there a failure of a market for what she had to sell. Moreover, the war had made money plentiful, the army bills having the value of gold.

* Ante, p. 184.

One of the measures introduced was an attack upon the legislative council, being a bill to disqualify the chief-justice, and judges of the king's bench, from sitting and voting in that chamber. When the bill came before the council it was resolved, that the provisions were unparliamentary and unprecedented, and intrenched upon the prerogative of the crown, and the privileges of that house. It was resolved, therefore, unanimously, not to proceed with the consideration of the measure.

The house of assembly was not content to abide by the decision. A committee was appointed to examine the journals of the house, and to report upon the treatment the bill had received. The committee reported, that the council by their refusal to proceed with the bill had excluded a measure highly meriting attention, and had "afforded additional evidence of its expedience."

It was followed by a bill creating a tax on the incomes of civil officers and of those enjoying pensions, for the support of the war; no other source of emolument was included. As might have been looked for, it was rejected by the council.

Such, likewise, was the fate of a bill creating the office of a provincial agent in London.

The thanks of the house were unanimously voted to colonel de Salaberry, and the officers who had been under his command, for the victory at Châteauguay, on the 26th of October; likewise, to colonel Morrison of the 89th, and officers and men, for the action at Chrystler's on the 11th of November.

Mr. Stuart, who had now assumed the position of one of the leaders of the opposition, in conjunction with Mr. Papineau, moved that the house would take into consideration the power and authority exercised by the courts of justice and the rules of practice; the clerks and protonotaries were directed to submit copies of these rules. The house affected to treat them as legislative enactments, and accordingly looked upon them as an encroachment upon the privileges of the house. These rules had been intro-

duced in 1809, under the sanction of an act of the legislature. It was now maintained, that they were subversive of civil rights, giving an arbitrary power to the judges. It was, therefore, resolved, to impeach both the chief-justice of the province, Sewell, and Monk, the chief-justice of Montreal.

It cannot be set out of view, that not only was the country involved in a war that threatened its very national existence, but, that there was no complaint of the miscarriage of justice, or failure in any respect in its administration. Had there been an outcry against flagrant wrong-doing, or want of conduct on the part of the chief-justices, the necessity of legislative interference might be explicable. Even then, it would have been a question if the trying circumstances, in which the province was placed, did not suggest the advisability of postponement of all action until quieter times. There were no causes of dissatisfaction to call for the interference of the house. The fact is patent in the frivolity of the seventeen charges, which formed the ground of impeachment; although, taken as a whole, the charges assumed a sufficiently serious character. One of the chief grounds of complaint was the arbitrary character of the rules of court. Mr. Stuart a few years later became attorney-general, and lived to be the object of as bitter a persecution, as that he was directing against chief-justice Sewell; an attack which ended in his own suspension from office in 1831, by the then governor-general, lord Aylmer: a proceeding confirmed by the colonial secretary, lord Goderich. In 1838, he was appointed chief-justice by lord Durham, and subsequently, through the influence of lord Sydenham, was created a baronet in 1840. He remained on the bench for fifteen years, until 1850. The rules he arraigned from his place in the legislature, he left unrescinded, and they were continued even beyond his death by his successor, sir Louis La Fontaine.

The charges against the chief-justice were, that he had endeavoured to subvert the constitution and introduce "an arbitrary, tyrannical government" by "wicked opinions

counsel, conduct, judgments, practices and actions ;” that he had disregarded the legislature, in furtherance of the views as president of the court of appeals ; that as chief-justice of the king’s bench, he had published rules and orders of practice “ contrary to the laws of the province, wickedly and traitorously ;” that he had set aside the laws and substituted his will, to the injury and oppression of the subject, and in subversion of most important political and civil rights ; that he had poisoned and incensed the mind of sir James Craig, and induced him to dissolve the provincial parliament on the 15th of May, 1809 ; that he had counselled sir James Craig to dismiss loyal and deserving subjects from offices of profit and honour, in one instance to the advancement of his own brother : an allusion to Stuart’s own dismissal from the position of solicitor-general, in which he had been replaced by Mr. Stephen Sewell ; that in 1808 he had procured the dismissal of Jean Antoine Panet from his rank of lieutenant-colonel in the militia ; that he had induced Mr. P. E. Desbarats to establish a newspaper, *Le Vrai Canadien*, to vilify a part of his majesty’s subjects ; that he had advised and approved the employment of a military force in 1810 to seize the printing press of the *Canadien*, an act described, in a paraphrase, as breaking open the dwelling house and printing office of one Charles Le François ; that he had advised the arrest of Bedard, Blanchet, and Taschereau ; that he had instigated and promoted various acts of tyranny and oppression of individuals, one of whom, Corbeil, by the rigour of his imprisonment, was deprived of life ; that he had advised sir James Craig to issue a proclamation to induce the belief that the Canadian population were disloyal, so that the province would prove an easy conquest ; that he had read this proclamation in March, 1810, to influence grand and petty juries ; that he had endeavoured to produce in the home government an ill opinion of the Canadian subjects, to favour the progress of United States influence ; that he had induced sir James Craig to send one Henry on a mission to the United States, by which conduct he had caused impu-

tations reflecting on the honour of the government, and had rendered himself unworthy of any place of trust. That he had laboured to promote disunion and animosity, between the legislative council and assembly ; and had endeavoured to prevent reliance on the loyalty and bravery of the Canadian subjects of his majesty.

The articles against Monk consisted of eight heads ; among the charges was that of advising criminal prosecutions in Montreal, and sitting in judgment upon them, and with having refused a writ of habeas corpus.

Stuart was named agent for prosecuting the impeachments, and a vote of £2,000 was carried, to enable him to proceed to England. The bill was lost in the legislative council. On the 3rd of March, the house with the speaker presented an address, praying the governor to transmit the articles of impeachment to the prince regent, and suggested the propriety of suspending the accused from their functions, until the pleasure of the regent was known.

The governor replied that he would transmit the address, but did not think it expedient to suspend the chief justice upon an address from one of the branches of the legislature only, on "articles of accusation" in which the legislative council had not concurred, concerning which indeed they had not even been consulted. The expression "articles of accusation" caused great anger in the house. Stuart, seconded by Papineau, moved that the charges were rightly denominated "heads of impeachment," that it was the right of the assembly to offer humble advice, without the concurrence of the legislative council, that the house had performed the first, and most essential of its duties to bring gross abuses under the notice of his excellency, that it was the constitutional right of the house without consulting the legislative council to frame articles of impeachment. That the governor, by his answer, had violated the constitutional rights of the house.

The governor, however, had his friends in the house, and the proceedings that followed shew Prevost's sensitiveness of

any criticism, that might affect him with the home government, for the majority passed a vote, that, notwithstanding the endeavours of evil-disposed persons to embroil him with the commons, the assembly had not, in any respect altered the opinion it had entertained, of the wisdom of his administration.

The chief-justice proceeded to London in June to vindicate his character. An address was presented to him previous to his departure, both by the executive and legislative councils. An address, jointly to himself and chief-justice Monk, from the city was also presented. The signatures were those of men of the highest respectability as described by themselves, "the seigneurs, land-owners, and other proprietors of real estate, barristers, merchants, or principal inhabitants of the city and neighbourhood."

These addresses are valuable from the light they throw on the constitutional principles which were recognised. The address from the councils was confined to expressions of personal respect for "an upright, loyal and indefatigable servant of the crown," and a warm, steady friend of the true interests "of the province," recording a strong sense of the important services he had rendered, and their regret that, as a judge, he should have been exposed to the extraordinary and unfounded charge preferred. The address from the citizens dealt more with the legality of the proceeding. It pointed out that, by the laws of the British empire, no accusations could be received unsupported by evidence, that the examination of that evidence when forthcoming, by an impartial inquest, was necessary to secure a fair and open trial. These principles had been totally neglected. "We have seen," ran the address, "these accusations adopted by that house without examination, and, as we believe, without the existence of any evidence to support them. At variance, too, with the principle to secure the independence of the judicature, solemnly confirmed, that no judge should be removed except on the joint address of both houses of the legislature. "We cannot," continued the address, "omit stating our decided

opinion that the charges made against you are unfounded, in fact, false as far as we can judge in argument, and certainly so in the motives imputed ; nor finally, unconscious as we ourselves are of any cause of complaint against your honours, and ignorant even of the existence of a single individual justly deeming himself aggrieved by you, can we be deterred from expressing our belief, that the proceedings against you originate wholly in personal prejudice or party violence."

The house, during the disputes, which were at this date of frequent occurrence, asserted itself as the one power of the province. The members had formed the view, that the vote of their body was pre-eminent, and in all respects should exact compliance. There is nothing to suggest, that the leading members had any desire for the establishment of a responsible executive, or that anything further was necessary to establish a political principle than the passing vote of a legislature, which, at the conclusion of its term of life, might on the ensuing election present a different composition. It was this theory that made government so difficult in Lower Canada for the succeeding quarter of a century. In order more clearly to enforce the doctrine, the appointment of an agent in London, to communicate directly with the imperial government was advocated. The necessity of this proceeding is recognized, and acted upon in modern times, but by no means on the same conditions. The high commissioner represents the executive of Canada, and receives his instructions from the ministry. The theory in the early years of the century was, that he should be the agent of the house of assembly, as the members put it, "to obviate misrepresentation." The bill was carried, and judge Bedard, of Three Rivers, was appointed to the position. He had been the leader of the extreme party in the house, and undoubtedly was a man of ability. His character was also in his favour; but his previous career suggested his certain partisanship. The bill was sent up to the council. While under consideration, the house added a supplemental message, asking the council to join a second person to Bedard. The council resented this

proceeding by a message, commenting on this unusual course on the part of the assembly, and desiring that no notice be taken of any bill before the council, until a conference should be asked regarding it: a principle the council would always observe.

The house, in reply, voted an address to the prince regent on the state of the province, totally independent of the council. It dwelt upon the imperfect condition of Lower Canada to provide for the exigencies of the war, and upon the urgency of imperial aid being given. Bedard was appointed to carry the address to England, and the governor was asked to advance £3,000 from the unappropriated monies, the half payable without delay, the remainder in six months, to meet the expenses of the mission. The following day the order was rescinded. The governor was prayed, to transmit the address as he would be pleased, and to advance £1,000 to pay the expenses of the bearer of it. The governor replied in a written message, that, when the sum appropriated had been voted, he would take the matter into consideration. As no such sum was voted, owing to the non-accord of the council, it would appear that the address was never forwarded. Parliament was prorogued on the 17th of March. It was the close of the 7th legislature. The general elections took place in April and May, and there was strong opposition in every county in the return of the new members.

The legislature of Upper Canada met on the 15th of February, and remained in session until the 14th of March. On meeting, the roll of members was called. Three were prisoners of war, Alex. McDonnell, Ralph Clench and John McGregor. Two were reported "deserted to the enemy," Abraham Marcle, and the notorious John Willcocks.

Sir Gordon Drummond expressed his satisfaction in assembling the legislature, adding that the fact of the members being enabled to meet at this crisis, demanded every sentiment of devout gratitude to divine providence, that had manifested an especial protection to the righteous cause of their defence. He spoke of the defeat and discomfiture of

Wilkinson's force at Chrystler's, the storming of fort Niagara, and the burning of the town of Niagara, which had led to the severe retaliation inflicted on the whole frontier from lake Ontario to lake Erie. Thus, he said, the valour of our soldiers and citizens has proved what can be effected in a good cause by men, who have nothing in view but their own honour, and their country's safety. He spoke of the continued ill health of the king; of the triumphs in Spain and Portugal; he alluded to the money voted by the assembly for the defences of the province. He said, "However small a proportion they may bear to the requisite expenditures, you have the merit of giving all you had." He called attention to the militia organization. He recommended the embodiment of detachments in no greater proportion than one-third of the corps, for a period not exceeding twelve months, so that the militia could be furnished with clothing and appointments, in the same way as troops of the line. He dwelt upon the necessity of the construction of one great road through the province being kept in good condition, for the transport of military stores.

He pointed out that, in justice to the men who had gallantly hazarded their lives for the province, those, whose religious scruples led them to abstain from war, should be called upon to contribute to it more liberally. He did not specify by name the two traitors who had seats in the assembly, and had deserted to the enemy. It was, he said, more a matter of regret than surprise. The disgrace could not have fallen upon the house, had their malignant influence in the last session not prevailed, in causing the rejection, when asked by the executive government, of a suitable modification of the habeas corpus act. "I rely upon the good sense of the two houses," Drummond continued, "to strengthen the hands of government, so as to obviate all apprehension of the recurrence of a similar reproach." He recommended the confiscation of the property of such traitors, to be applied to the relief of sufferers by the war. He feared that the restraint to the distillation of grain must be continued. He concluded, that it would be superfluous to remind them, that, in the actual situation of

the province, as little time should be spent in the session as was consistent with mature deliberation of the topics to be considered.

One of the earliest proceedings of the house was a vote expressing the utmost abhorrence of the infamous conduct of the two traitors, and declaring their seats vacant. Nineteen acts were passed. Among them was a continuation of the act prohibiting the distillation of grain ; the suspension, for a time, of the habeas corpus ; the continuation of the revenue agreement with Lower Canada ; forfeiture of inheritance upon attainder for treason ; provision for maintenance of a public road ; an act to facilitate the circulation of army bills ; provision for the defence of the province ; for the circulation of government bills ; the amendment of the militia.

The president, in closing the session, acknowledged the disposal of so considerable a proportion of the public funds, to provide for the defence and security of the colony.

At this date, Drummond applied to lord Bathurst for authority to erect buildings at York for the legislature, the public offices, and the residence of the governor.* The first buildings had been burned in April, 1813, by the United States troops when they took possession of the town.† They were constructed at imperial expense in 1818. It may be remarked that these buildings were accidentally destroyed by fire in 1824, and those which remained in use to within the last few years were constructed at that date.

When the buildings were burned in 1813, the printing press in the city was also destroyed. Up to this date, it had not been possible to replace it. Much inconvenience arose, for the official printing of the city ceased, no press having been obtainable even in Lower Canada. Finally, in the spring of 1814, the want was supplied from Ogdensburg, and a press was bought for £84 7s. 6d. We are not told how the negotiations to effect this purchase were carried on in the midst of war, and in what form the transit across the river

* Can. Arch., Q. 318.1, p. 22. Drummond to Bathurst, 30th March, 1814.

† Ante, p. 261.

was effected. The fact, however, is substantiated by the report of Drummond to lord Bathurst on the subject.*

The campaign of 1814 opened in Lower Canada as early as the 17th of March. Wilkinson with his whole force advanced from Plattsburg to Chazy. At this place, he detailed brigadier Macomb with a brigade of infantry, and a corps of riflemen, who were placed in sleighs, and carried across île La Mothe to Swanton in Vermont. The following day they passed round Missisquoi bay, and took possession of Phillipsburg, a mile within the lines on the Canada side. They remained here only a few days, for on the 29th they re-crossed the lake, and joined the headquarters of Wilkinson at Champlain, where 4,000 men had been assembled.

On the 30th, the force advanced to the attack of Lacolle mill. This place, under the command of major Handcock of the 13th, was occupied by 180 rank and file, consisting of a company of the 13th, 70 of the marine corps, a detachment of frontier light infantry, with three marine artillerymen. The mill was a structure of stone, consisting of two stories, with a wooden shingle roof, in size 50 feet by 30 feet, and situate on the Lacolle river, about three-quarters of a mile from its mouth. It had been made defensible by filling in the windows with heavy squared timber, with interstices for the discharge of musketry. A bridge that crossed the river below the mill led to a small house on the north side, converted into a block-house by a breastwork of logs. An ordinary barn stood near the rear. South of the mill there was a clearance of the width of 200 feet, and, to the north of it, of about 100 feet. The building was otherwise surrounded by woods. Owing to the season of the year, a foot of snow was lying on the ground, somewhat affected by the thaw. The Lacolle river was still frozen over, to within a short distance from its junction with the Richelieu.

The whole British force for the defence of the frontier consisted of the garrison of Saint John's, under the command of lieutenant-colonel Williams, of the 13th, which included

* Can. Arch., Q. 318.1, p. 72, 2nd April, 1814.

six companies of that regiment, with a battalion of Canadian militia: about 750 rank and file. Colonel Richard Williams of the royal marines was at île-aux-Noix, with a battalion of that corps, and the two flank companies of the 13th, the whole numbering 550 men. Two miles above the mill, at the post called Whitmore's, on the Richelieu, was a company of the 13th. At Burtonville, two miles up the Lacolle river, through which the northern road passed, a company of the Canadian Fencibles, and a company of Voltigeurs were stationed. The whole force therefore amounted to 1,000 regulars and 430 militia.

Following the road to the east, Wilkinson's force reached Burtonville, where there was a small picket, which was driven off. Here the mistake was discovered of having marched for this place, instead of to the mill. Accordingly, the force returned by the main road near Odelltown, three miles from the mill. The road thither was obstructed by *abattis*, which it was necessary to remove before the column could advance. As it went forward it came upon a British picket, the fire of which, before its retreat, killed and wounded one officer and twelve men of colonel Bissell's brigade.

It was not until half-past one that the column reached the mill, but the advance had been known three hours earlier, and the time had been employed in strengthening the defences. As it was supposed no stand would be made, and the surrender of the small garrison was looked for as certain, 600 men, under colonel Miller, were detailed to cross the river to the rear, to prevent any escape of the defenders.

As Wilkinson proceeded to invest this extemporized fortress, a sharp fire from the handful of men who held it, was principally directed to the column in its front. The United States force, after an unsuccessful attempt to place an 18-pdr. and a 12-pdr. in position, succeeded in establishing, within 250 yards of the front of the mill, one 12-pdr., one 6-pdr. and a 5½ in. howitzer. A cannonade was now commenced, the gunners being assailed by the musketry from the defenders. Soon after the commencement of the attack, the two flank

companies of the 13th had arrived from île-aux-Noix. They had been detached owing to the request for reinforcements by major Handcock, when he had heard of Wilkinson's advance. The distance from the island was seven miles, and the march, owing to the melting of the snow, and the sudden rise of water, had been very trying. In some spots, the men had to wade through half-frozen water to a great depth.

Handcock, not knowing the force opposed to them, ordered three companies to charge the guns in his front. The order was resolutely obeyed. But the large force protecting them, and the flank fire of the riflemen and infantry in the wood, led to a miscarriage of the movement, and the companies retreated to the block-house across the river. Handcock's force had been further strengthened by two companies of Fencibles and Voltigeurs, which had marched through the woods from Burtonville, having eluded the notice of the United States pickets. A second charge was now ordered upon the guns. Captain Ellard having been wounded in the first charge, captain Blake volunteered to lead it. The charge was made most gallantly, so that the artillerymen abandoned their post, and the guns themselves were only saved from capture, by the continued fusillade from the flanks. It was now understood, from the overpowering force of the assailants, that no attack upon the guns could succeed; consequently Handcock acted entirely on the defensive. The United States artillery resumed their position. Several shots struck the mill; one passed through the wall near the chimney. During the action, captain Pring's sloop and two or three gun-boats arrived, as near to the mouth of the creek as the ice would admit. Indeed, in summer the creek is navigable only for canoes. From this position the gun-boats cannonaded the United States force, but, from the distance and the intervening woods, with no effect.

The action had now continued for two hours and a half. The firing ceased from the mill, for the long defence had exhausted the ammunition. Two privates despatched to île-aux-Noix for a supply were captured. A third reached

the island. The discontinuance of the musketry fire led the United States force to advance nearer to the mill, in the open. No attempt, however, was made to storm either the mill, or the block-house. Dusk was now coming on, for it was verging upon five o'clock, when the United States forces retired from the position they had taken up.

Handcock could not understand the movement, for he had been made to feel the strength of the attacking force, although he could scarcely have conceived, that it amounted to 4,000 men. What he did know was, that it was immensely in excess of his own. He therefore regarded the movement as a feint to draw him from his position ; accordingly he remained on his guard, expecting an attack in the morning, possibly with heavier artillery. With this expectation, two 18-pdr. caronades during the night were brought up from the gun-boats, and posted at the block-house.

The morning came, and no enemy appeared. The truth is that the United States force was exhausted by cold and fatigue. The opinion had likewise been formed, that without heavy artillery the place was impregnable. In the condition of the roads, such guns could not possibly be brought forward. In the interval, the entire force had re-crossed the line without interference, and had regained the cantonment at Champlain. Shortly after, a large part of the force from this station was ordered to Plattsburg.

The British loss was 11 rank and file killed ; 2 officers, 1 sergeant, 43 rank and file wounded, and 4 missing. One Indian killed in the skirmish on the retreat, 1 wounded. Total, 63. The United States loss was, 13 killed, 128 wounded, 13 missing. Total 154.

The total number holding the mill, after the arrival of the companies of the 13th and Canadian militia, was 340.

The resolute defence of this post under the conditions it was attacked, was prominent, even among the many gallant actions of the war. The determined resistance of the small garrison in a building that could scarcely be held to be a post, and the gallantry of the charges upon the guns, obtained

full recognition at the court-martial of Wilkinson. One of the charges brought up against him was the failure to reduce this place, a proof of the mortification of the failure.*

The consequence of this attempt was, the assembly of a strong force at île-aux-Noix and Saint John's. Prevost's object appears to have been purely defensive, for the troops remained inactive. The movement created alarm, nevertheless, at Vergennes, a town on Otter creek some eight miles from its mouth, where commodore Macdonough was engaged in the construction of a square-rigged vessel and a brig. Macdonough formed the view, which, with a governor-general of a different mould from Prevost, would have been correct enough, that, so soon as the disappearance of the ice would permit, a large land force would be landed, and the destruction of the ships attempted. Accordingly a battery of seven guns was constructed at the mouth of the creek, manned by artillery sent from Burlington; 500 infantry were marched from Plattsburg, and provisions were made for calling out the Vermont militia. By the middle of April Macdonough had launched his vessels.

On the 9th of May, Pring left île-aux-Noix with his small flotilla. He proceeded to Otter creek. A cannonade was exchanged. After two hours' attack, and when no impression had been made, Pring felt his incapacity to act unsustained by a land force, and consequently sailed away.

* The charge reads, "Specification 8th. In failing to adopt such measures as were proper and practicable, on or about the 30th of March, 1814, to reduce the British post at La Cole mill, in the province of Lower Canada, and to capture the garrison thereof; especially in remaining inactive four hours and upwards before the said post, with an effective and well disciplined force under his command, far superior in number to the enemy, and fully adequate to the reduction of the said place; in omitting to demand the surrender thereof, and to carry the same by storm, and finally withdrawing his troops, in a hasty and disgraceful manner, under cover of the night, from before the said post, defended by a small body of the enemy, thereby deeply wounding the feelings of his subordinate officers, destroying the spirit of the soldiers, and exposing the army to mortification and disgrace." [Wilkinson, vol. III., p. 19.]

I refer the reader to volume III., chapter VII., p. 223-251, for the voluminous evidence given on the subject. The courage shewn in the charges upon the guns is mentioned by three separate officers as "distinguished by desperate bravery."

Prevost's failure in organizing an expedition, to destroy the unequipped vessels at Vergennes, was a parallel to his refusal of Brock's demand to act against Sackett's harbour after Detroit had been taken. With a force sufficient, there would have been no doubt of its success, but Prevost's mind was incapable of seizing the true situation in any emergency. A few months were to shew his error. In September lake Champlain became the scene of an event, most unfortunate for his good name, and his memory in history. As, in 1812, judgment and confidence in Brock might have saved Toronto from the fate it experienced in April, 1813, so, courage and determination on Prevost's part on this occasion would have made impossible the formation of the fleet, by the operations of which his reputation has been ruined.

In the west, the foraging parties of major-general Cass from Detroit shewed little mercy in extorting supplies, and their depredations were becoming most exacting. The United States force, likewise, received countenance from the settlers who had entered Canada from the United States. The wish was father to the thought, that in Procter's defeat lay the ruin of the British cause in western Canada. Before the end of October this class had shewn great activity. I have related the chastisement inflicted on a party taken at Port Dover, on lake Erie.* Early in December, the news reached Long Point, that there was a party of this character busily marauding upon the Thames, under a lieutenant Larwell, some 44 in number. The Norfolk militia had been disembodied. Henry Medcalf, a lieutenant, still holding his militia rank, determined on his own impulse to assemble some of the militia, and chastise them. Joined by three sergeants and seven men of his old regiment of the Norfolk militia, on the 16th of December, he went to Port Talbot, distant 65 miles, where his strength was increased by two officers, one sergeant and seven rank and file of the Middlesex militia, and by a sergeant and six troopers of Coleman's dragoons. This little party marched direct for Chatham on

* Ante, p. 377.

the Thames, when it was increased by a lieutenant and eight of the Kent militia. It must be remembered that these men had voluntarily organized themselves to defend their homes, thus shewing their determined adherence to the cause of their country, and their readiness to risk their all, to protect their families and property. On hearing that the United States party were at the house of one Macrae, on the river bank, they proceeded towards it. The fatigue consequent upon the length and rapidity with which the march had been made had severely told on eight of the number. The dragoons therefore dismounted, and the sick were left in charge of the horses. The remaining 28 went forward to meet the invaders.

The 45 United States regulars had closed the porch, as if designing desperately to defend themselves. McQueen, a sergeant of the 2nd Norfolk, made short work of the matter : with the butt end of his musket he forced in the door. The Canadians dashed in ; there was a short scuffle, in which two of the United States force were killed ; two made their escape. The remainder were taken prisoners, lieutenants Larwell, Fisk, and Davis, 2 sergeants, 2 corporals and 33 rank and file, total 40. The Canadian militia, including their leader, numbered 29.

Sir Gordon Drummond, always the right man in the right place, expressed his warmest approbation of this hazardous and gallant proceeding ; and in view of the bravery and judgment shewn by Medcalf, immediately promoted him. To shew the spirit which actuated these men, one of them, whose name deserves preservation, Reuben Alwood, was in a weak state of health from a wound received on the attack of the Red house on the 28th of November, 1813. On that occasion a boarding-pike had been thrust into his left eye and had passed out at his left ear ; nevertheless he had again taken the field, to defend, what to him was the sacred soil of British ground.

The campaign of 1814 commenced in Upper Canada by an attempt on the part of sir Gordon Drummond to check these inroads. He had established a post at the village of Delaware on the Thames, some 12 miles to the west of London by

road. The force consisted of the flank companies of the Royal Scots, the light company of the 89th, and a detachment of the militia, the total being 196. The distance of Delaware from Moraviantown is 34 miles. Late on the night of the 3rd of March, news was brought that a United States foraging post was at Longwood, about 15 miles distant. At daylight of the 4th, the force moved forward under the command of captain Basden of the 89th. With the regulars and militia and about 50 Indians, the column amounted to 240 men. The United States force, according to the despatch of captain Holmes of the 24th U.S. infantry, numbered 160 rank and file, rangers and mounted infantry. Holmes, being informed of the advance of the British, retreated some four miles to the Twenty mile creek, which ran in a deep ravine. He here protected himself by an *abattis* on the three sides, and, trusting to his position, awaited the approach of the enemy. Basden arrived at the eastern side of the ravine on the morning of the 4th of March. There were about fifteen inches of snow, with a light crust of frost on its surface, making all movement more difficult. With his force, were men acquainted with the locality, who proposed to lead Basden by a route they well knew to the rear. Basden, with the fatuity of many officers of his stamp, believing that everything can be accomplished by pluck and dash, declined the offer. He thought the intrenchment could be taken by storm. He conceived, it is said, that the opportunity presented itself, of making such an impression upon the United States troops, that they would hereafter avoid all foraging expeditions. Had he acted with prudence and judgment, it is most probable he would have done so, but he recklessly ordered a direct attack. He detached the militia to make a flank movement to the right, the Indians to the left. With the regulars he dashed across the ravine and ascended the height, to come within three yards of the impenetrable *abattis*. They were received with a succession of volleys. All effort to break into the intrenchment was in vain. Basden retreated with the loss of 2 officers, 12 rank and file killed, 2 officers, 5 sergeants, 42

rank and file wounded, one volunteer wounded and taken prisoner, and a bugler missing : total 65. The loss of the United States was 4 killed and 4 wounded. Basden was himself wounded. Though great gallantry was shewn in the attack, it was most ill judged, and led to the serious casualties narrated, with no prospect of success. Holmes without delay retired to Detroit : he could not look for a blunder of the character being repeated.

On lake Ontario the opportunity again presented itself for the destruction of the fleet in Sackett's harbour ; but, as in the previous year, the proposition to attack it was rejected by Prevost. In January, not above 800 troops had been left for its defence. An assault upon the place by a sufficient force, with a leader like sir Gordon Drummond, could not have failed of success. The United States authorities, however, saw the situation in a truer light, especially as they gave Prevost credit for qualities which he did not possess. Looking forward to the possibility of active proceedings against the harbour, they reinforced their navy yard ; and by the end of March they had gathered at this point 5,500 troops. Of this number 1,500 were marines, to be employed on Chauncey's ships.

Drummond forcibly represented to Prevost, that, from the information he possessed, he had reason to anticipate the sovereignty of the lake could be regained by the destruction of the United States Ontario fleet, and that the opportunity might not again present itself of making a combined and vigorous attack upon Sackett's harbour. If successful, it would probably have ended the war, as it would have completely crippled the power of the United States on the territory round lake Ontario and in the Niagara peninsula, as far as fort Erie. Drummond did not stop here. In the enterprise which the future offered to his view, he foresaw that lake Ontario being open, and the navigation without interference, it would be possible to push on a force and retake Amherstburg. Firmly holding that the construction of a naval force could be effected, by the means of which at no distant date

the British would gain the ascendancy on lake Erie as on lake Ontario.

As early as the 27th of April he communicated his views to Prevost, setting forth that he did not consider the attempt against Sackett's harbour to be attended with extraordinary difficulty, or that it would entail serious loss. He considered the expedition should consist of 4,000 men; of this number he would require from 800 to 1,000 troops from Lower Canada.*

Prevost replied, that the scarcity of provisions in Upper Canada would not admit of any increase of the force there, and that the men could not be sent without stripping Lower Canada of the means of defence. Moreover, the views of the home government respecting the mode of conducting the war did not justify him in risking too much on any one stake. It was by wary measures, and occasional daring enterprises with apparently disproportionate means, that the war had ever been sustained, and he must continue to act on that principle.

If Sackett's harbour was considered to be so strongly defended as to make its attack, in the view of the governor-general, inadvisable, it was not the case with Oswego, important from its geographical position. It may be described as accessible by water from the Hudson, with some portages by the Mohawk to the height of land, and thence by lake Oneida, and the Onondaga to lake Ontario. The place had played a prominent part in the history of the country in the French wars. It was from Oswego that Bradstreet had organised his expedition against Cataraqui (Kingston). It was here, that the preparation had been made for the siege of fort Niagara, and from this point the final effort was made by Amherst in 1760 in the descent of the river to Montreal, when the conquest of French Canada was completed. It was now the depot for stores for the marine service of lake Ontario, and for troops engaged in the western operations. The object of an expedition against the place was their destruction.

* Can. Arch., Q. 318.1, p. 106. Drummond to Bathurst, 3rd of June, 1814.

Prevost had been induced by the earnest representations of sir Gordon Drummond to consent to an attack upon Oswego. The position was a strong one. The town, at the time, consisted of some thirty houses on the western bank of the river. A fort had been constructed on the eastern side, with ditches and ramparts, including some three acres of land. It was placed on an elevation of 50 feet above the lake; by its side were the store houses, barracks, and a few dwellings.

At Kingston the fleet had been strengthened during the winter by two frigates, the "Prince Regent," 50, and the "Princess Charlotte," 44. The "Wolfe," now the "Montreal," had four 32-pdr. carronades, and the "Royal George," now the "Niagara," had two long 18-pdrs. The other vessels were the "Charwell" and "Magnet," brigs, the "Star" and "Netley," schooners.

The United States had, on the 1st of May, launched the "Superior," 64 guns, and the "Mohawk," 48. Two new brigs had also been constructed, each carrying 24 guns. A brig and 8 schooners brought up the number of their fleet to 13.

The expedition left Kingston on the 4th of May. It consisted of 1,080 rank and file, under the command of sir Gordon Drummond. The force was composed of six companies of the de Watteville regiment, the light company of the Glengarrys, the entire second battalion of marines, a detachment of artillery, with two field-pieces and some sappers and miners. The fleet arrived before Oswego on the 5th of May.

Either intelligence had been carried of the intended operations, or they had been considered possible, for reinforcements of heavy and light artillery, with engineer and artillery officers, had been sent from Sackett's harbour. The defences had been strengthened, and the batteries repaired, new platforms laid for the guns, four in number, 24-pdr., 12-pdr. and 6-pdr. On the lake shore a 12-pdr. was placed *en barbette*. The schooner "Growler," 3, was in harbour, preparing to escort several *bateaux* laden with stores.

At 3 o'clock, the ships lay to within long range of the shore, and the gun-boats, 11 in number, were sent in to draw the fire of the enemy, and to discover the position of her guns. The fire was opened at four, and a cannonade continued until half-past five. Preparations had been made for landing, when a heavy gale from the north-west drove the ships out on the lake. Owing to the severity of the gale, four of the boats which had been launched and put afloat in the lake, were cut adrift. From the force of the wind and current, one drifted ashore. It furnished occasion for United States writers to exult over the repulse of the British. The true story, however, was told by an United States officer who saw the occurrence, and in a letter to the newspapers, dated Oswego falls, May 7th, truthfully related the event.

On the morning of the 6th, 770 of the land force and seamen under the command of lieutenant-colonel Fischer of the de Wattevilles, were embarked in the boats. From want of depth, the two largest vessels could not get in to cannonade the battery. That duty was performed by the "Montreal" and "Niagara." The "Montreal" was three times set on fire by red-hot shot. The wind being ahead, the boats were impeded in their progress, and were exposed to the destructive fire from the batteries, and from the musketry discharge of 500 regulars and militia. A landing was, however, effected, and the formation made. The British in their advance, having to ascend a steep and long hill, suffered from the fire of the fort, but they had no sooner reached the summit than the defence was abandoned. The regulars retired to the rear in some order; the militia ran helter-skelter to the woods. In ten minutes after the entry of the troops into the fort, lieutenant Hewett of the marines climbed up the flag-staff under fire of the retreating force, and tore down the colours which had been nailed to it.

The loss of the British was severe, being a total of 19 killed and 62 wounded, among them 2 officers killed, and 6 wounded, total 81. The United States account was 6 killed, 38 wounded and 25 missing: total 69; 60 prisoners were taken,

9 guns were captured, three 32-pdrs., four 24-pdrs., one 12-pdr., one 6-pdr.; two guns were destroyed. A large quantity of shot, 8 barrels of gunpowder and some small shot were thrown into the river. Two small schooners with several small boats, and smaller craft were captured, with 1,045 barrels of flour, pork, potatoes, salt, etc., 70 coils of rope, with blocks, tar, etc.

The barracks, the platforms, and works of the fort were burned. The United States authorities scuttled and sank the "Growler" with three long 32-pdrs. and a quantity of stores.

No private property was in any way interfered with. By four o'clock on the morning of the 7th the vessels, with the captured property, left Oswego. The expedition had been gallantly carried out, and had been in all respects successful.*

The British from their strength were enabled to take the offensive on lake Ontario, and the United States fleet was blockaded, in Sackett's harbour. This very strength led to a disaster which, although without in any way influencing events, was sufficiently serious and depressing. The chief duty of the gun-boats was to intercept the supplies and equipment, that were being forwarded from time to time from Oswego. On the morning of the 29th of May a *bateau* laden with two 24-pdrs. and a cable was captured. The boat had sailed in company with 15 similar craft, laden with stores. A start was at once made to intercept them, and captains Popham

* Among the names of those favourably mentioned in the despatch of sir Gordon Drummond of the 7th of May is lieutenant-colonel Hagerman, known in Canadian history as judge Hagerman, of Upper Canada, at the time his provincial aide-de-camp. He had served in the same capacity to colonel Morrison at Chrystler's on the preceding 11th of November, and was present with sir Gordon in every action during the war, including, of course, Lundy's Lane. He was a man of many remarkable gifts, physical and mental. Although his education was that of the common school of Adolphustown, he never betrayed any deficiency in the higher training. There are still many living, who bear witness to his natural eloquence, and power of speech; the more impressive from the melody of his intonation, and the flexibility of his voice. He was successively solicitor, and attorney-general; finally in 1839 he was raised to the bench. In 1847 he was purposing to make his residence in England, and take a part in imperial political life, when his death took place in May of that year.

and Spilsbury, with two gun-boats, and five barges, were ordered in chase. They ascertained that the boats had taken refuge in Sandy creek, the mouth of which is 16 miles to the west of Sackett's harbour. Thither the British boats followed, and on the 31st of May they ascended the creek. An attack was resolved upon, although, it seems, with not much hope of success. It was, however, thought to be all important to destroy these stores, or to obtain them in possession, for they would have proved of value to the British shipping. The detachment numbered 181 seamen and marines. The boats advanced cautiously up the creek to within half a mile of the *bateaux*, when the men were landed on both banks, and advanced to a bend of the river, when the United States force came in view. By some accident a gun in the bow of the foremost boat becoming disabled, the vessel was turned round to bring the 24-pdr. in the stern to bear. The movement was regarded as a retreat, and led the United States force to make a general advance, consisting of 150 riflemen, 200 Indians, with a strong body of militia. A short and desperate contest ensued. After the loss of 18 killed and 50 wounded, and retreat being impossible, the remaining 120 surrendered. The militia and the Indians shewed a desire to exterminate the prisoners, but major Appling and the officers of the rifle corps intervened. In his despatch Popham acknowledged the service rendered to the British crews by major Appling on the occasion.

Drummond, considering Long point, on lake Erie, a position of importance, had quartered a troop of the 19th dragoons at this spot, under major Lisle. The place strategically demanded consideration, for a road led directly to Burlington heights, from which it was distant but little more than a day's march. There were no barracks, so the men were billeted at the saw-mill, distillery, and some private houses. The mill was the property of colonel Nichol, the quarter-master-general of the militia, then absent in the field, one of the most active and able of the officers in the service.

Opposite to port Dover, on the United States shore of lake

Erie, is the town of Erie, which formed a station for the naval vessels. As the spot had been considered to be threatened, a colonel Campbell of the 11th United States infantry had been stationed with 500 troops for its protection. Hearing that the only force at Port Dover was the troop of dragoons with a small party of militia, Campbell, on the 15th of May, undertook to attack the place with his full force. There could be no defence, so the troopers retreated from the town as the United States force entered it. Campbell burned the whole place to the ground, mills, distilleries, and private houses. A more wanton and barbarous wrong cannot be conceived. This infamous proceeding had no *raison d'être*; it was objectless, unless to gratify malignity, and Campbell acted entirely without orders. On the facts being known, Riall addressed the commanding officer of the United States troops by letter, asking an explicit declaration, whether the landing and the acts of outrage on private property at port Dover, were authorised by the United States authorities. The answer was received under general Brown's seal, but without any communication from himself. It was a letter from colonel "John B. Campbell, of the 11th regiment United States troops," probably the one instance of the kind, in correspondence of this character, between officers of opposing armies in the time of war. Although colonel Campbell was very far from being the officer in command, his letter was addressed directly to Riall to the effect that the business was planned by himself, and executed on his own responsibility. The second part contained some insolent observations, through which lines had been drawn by a pen, as if in repudiation of them, it was supposed by Brown himself; for a New York paper was enclosed.*

Whatever the influence which caused proceedings to be taken, Campbell's conduct was submitted to a court of

* The following is colonel Campbell's letter :

Niagara Frontier, 16th June, 1814.

SIR,—I have the honour to receive your communication of the 9th current. I commanded the detachment of the United States army which lately made a

inquiry, of which colonel Scott was president. No greater farce could have been enacted. No censure was passed on Campbell, but his conduct was explained away. The inquiry seems to have been held more as a demand of public opinion, than to give a just decision. The court declared that the destruction of the mills and distilleries was according to the usages of war, but in burning the private houses colonel Campbell had greatly erred. The "*error of judgment*" they attributed to colonel Campbell's recollection of scenes of the Raisin and Miami, he having served in these operations of the preceding year, and the recent destruction of the Niagara frontier.

It will be well to bear in mind the principle thus enunciated, when the British attack of a few months later on the Atlantic coast is related. With regard to the scenes of the Raisin and Miami, it can be distinctly stated that nothing happened to call for the allusion; and, as history establishes, the cause assigned is a falsification of fact.

Colonel Campbell's feat, with 500 regular troops, was to lay waste the surrounding district to the greatest extent he was able, he and his men robbing the inhabitants of their private property. He destroyed a saw-mill and tannery, 5 distilleries, 6 stores, 13 barns, 3 grist mills, 19 dwelling houses; turning out from sheer malignity, amid the burning embers, 25 ruined families to shift in the future as they best could. Such was the conduct characterised by colonel Winfield Scott as an "*error of judgment*."

landing at Dover on lake Erie. What was done at that place and its vicinity proceeded from my orders. The whole business was planned by myself and executed upon my own responsibility.

[The following lines are ruled through.]

Whether the acts of outrage, as you are pleased to term them, of which you complain can find a parallel in the conduct of his Britannic Majesty's forces, or have been exceeded in a variety of instances of recent date, both on this and the Atlantic frontier, are questions which you can solve at your leisure.

[Can. Arch., C. 684, pp. 19-20.]

CHAPTER II.

The determination to invade Canada by the Niagara frontier was still adhered to by the United States executive. Incapable of defending their own seaboard, they acted upon the principle which had influenced them on the declaration of hostilities ; on the one side, to carry on a commercial war which would bring England to the feet of the United States, on the other, to starve her colonies, take Canada and Nova Scotia, and finally make peace at Halifax. Before Napoleon's disaster at Russia and his defeat at Leipsic, it was regarded as a common understanding, that if the United States would join France, the emperor in affirming the conditions of peace would guarantee their possession of Canada and Nova Scotia.

With this view still vaguely haunting the United States government, possibly with the consideration that British America was the one vulnerable point where success of any character could be obtained, it was resolved to put forth the greatest possible efforts for the subjugation of Canada. Major-general Brown had been placed in command. He was not a professional soldier, but he was a man of courage and ability, and with strong, natural military instincts. He had first obtained notice on the attack of Sackett's harbour in May, 1813, causelessly abandoned by Prevost in the full tide of success. The event had obtained for Brown fame and consideration. If he had not received a military education, he possessed many of the requisites of a good soldier. He cordially acted with his two brigadiers, Scott and Ripley ; both of whom were capable of supplying the technical knowledge he did not possess. Brown early in April marched from Sackett's harbour to Batavia, thence to Buffalo, where he laboured to bring under discipline the force he commanded. During May and June the men were carefully exercised, under the

direction of colonel Scott. There were two brigades, each of four regiments, numbering some 2,200 men. The artillery consisted of 12-pdr. and 18-pdr. batteries, with 400 gunners. About 1,000 militiamen had been despatched from New York and Pennsylvania, making a force in excess of 4,000 men centred at Buffalo. Between Buffalo and Lewiston, a regiment of infantry and a rifle corps brought the number up to 5,000.

The elections in New York had returned representatives favourable to the war; and at Albany a bill was carried, authorizing the establishment of 4,000 state troops for one year. In March, two regiments and a battalion comprised of independent companies of rifles, light infantry, and mounted rifles, amounting in the whole to 2,000 men, were called out, organised and drilled.

The British force, to meet this preparation, consisted of the 1st battalion Royal Scots, the 8th, the 41st, the 100th, the 103rd, and a squadron of the 19th dragoons; the whole not amounting to 4,500 men. Of this number 4,000 were effective. With this limited strength garrisons had to be supplied to fort Erie, opposite Buffalo, to fort Niagara, on the United States side, taken the preceding November; likewise, to fort George, and the newly constructed fort of Mississaga, at the junction of the river with lake Ontario. The post on Burlington heights had also to be maintained.

Drummond watched these preparations on the United States side with great anxiety. His statesmanlike judgment penetrated the magnitude of the attempt that would be made, and the necessity that it should be met, on the part of Canada, in strong force, and with sound generalship. He urged on Prevost the necessity of efficient reinforcements being immediately sent; but his request met the fate of his proposition to attack Sackett's harbour. Prevost read his communication with perfect incredulity. He rejected the foreboding that the true design of the United States was against the Niagara frontier; that they would make the greatest endeavour to possess this territory, for to hold it would be of the first

advantage to them. Drummond had expressed the opinion that the gathering of a force at Plattsburg was a feint to prevent troops being sent to Upper Canada. Prevost, in his written remarks, shewed even contempt for this view, and fatuously placed on record his own theory, that it was without foundation. As a consequence he refused the reinforcements asked. Before a month had passed, the correctness of Drummond's views was made apparent at Street's creek and Lundy's Lane.*

Prevost could only understand the extent to which he was threatened at Montreal, by the large force massed along lake Champlain. Drummond more truly judged the situation. It was plain to him that the preparations being made in Buffalo were not merely for regimental drill, and that they portended the greatest mischief. But his warning remained without heed.

At this date the United States had undisputed command of lake Erie. It was also supposed possible that Chauncey's fleet would, by its superiority, be enabled to aid any military operations undertaken, so that they could be conducted equally from Sackett's harbour, and from their base at Buffalo. There was consequently the probability that Riall could be assailed in the rear, by a division landed from lake Saint Claire, or from port Dover, from which places roads led to Burlington heights. Accordingly, it became necessary anxiously to watch these routes. Lieutenant-colonel Hamil-

* Can. Arch., C. 683, p. 292. Drummond to Prevost, 21st July, 1814. I deem it proper to preserve this portion of the correspondence. Drummond wrote, "I am of opinion that the enemy's principal designs are intended against the frontier, a re-occupation of which would prove of such essential service to them, and of such incalculable injury to us, and that they will strain every nerve to effect so desirable an object, and I conceive their manœuvres in the neighbourhood of Plattsburg, to be merely for the purpose of preventing our sending sufficient reinforcements for the security of their intended point of attack."

Prevost's remark can yet be read in pencil on the original letter in the Canadian Archives: "Very much obliged to gen. D. for his opinion, unfortunately for him it is not founded on fact, as not one soldier intended for U.C. has been prevented moving forward by the enemies' demonstrations in the vicinity of Odetown."

ton, with the headquarters of the 100th, was detached to port Dover; and some light infantry, with a party of dragoons were stationed at Delaware, to the south-west of London, from which place there was a communication with Burlington heights. It was necessary likewise to observe the crossing of the Grand river, some 70 miles from that post. Thus, from the pressure of garrison duty, from the necessity of furnishing these detachments, and from the fact that 1,000 men were stationed at Toronto, the force which could be brought into the field was about 800 regular troops, with 300 militia and 150 Indians.

A new fort had been lately constructed at the mouth of the Niagara. In the first place it was called fort Riall, afterwards known as fort Mississaga, the name it now bears; for it is still in tolerable preservation. Of the regiments present the 8th had so suffered from dysentery, and intermittent fever, that they had been relieved by the 41st, and had been sent to York.

It was evident that the threatened attack would not long be delayed. What foreshadowed mischief was that nine armed vessels had been assembled at Buffalo, and boats were being collected at Tonawanda creek. There was great uncertainty where the crossing would be attempted. A party of Indians from fort George, under Caldwell and Elliott, had been despatched across the river. They ascended the bank for some twelve miles, but could obtain no intelligence. They, however, burned a new barrack which had been built on the heights at Lewiston. Riall, in charge of the frontier, was greatly embarrassed,* and his force was divided, owing

* As some writers have expressed an unfavourable opinion of Riall's abilities, while his courage is held to be unimpeachable, I conceive it due to his memory to repeat at this place, the testimony borne to his character by sir Gordon Drummond. It is contained in a letter to sir George Prevost. "On the subject of major-general Riall's qualifications for the command entrusted to him, as I myself never entertained a doubt, I am at a loss to imagine from what expressions of mine, your excellency could have been led to think so. The means which the enemy immediately opposed to him possess, he has stated from information alone, as it is totally out of his power to obtain a personal observation of their

to the uncertainty of the point, where the attack would be made. At Chippewa five companies of the 100th were cantoned, while colonel Pearson with the eight companies of that regiment, and of the Royals with some of the Lincoln militia, safeguarded the frontier to fort Erie. The fort had been re-established as far as it was possible, since its re-occupation, and was held by a garrison of 125 men, many of whom were sick and unfit for duty. Independently of the forts at the river mouth, the whole available regular force, on the eastern bank of the Niagara, if brought together would not have exceeded 1,500 men.

In the strained condition of feeling at Buffalo, the troops assembled could not remain idle. Early in June, the secretary of war sent forward to Brown positive orders to cross the river, to take possession of fort Erie, known to be lightly garrisoned, and to push on to Chippewa, where he would not find more than 2,000 men to oppose him, and then be governed by circumstances. The expedition would give occupation to the troops, and prevent their blood from stagnating.

The United States army crossed on the 3rd of July at daybreak, one division landing a mile and a half above the second division, a short distance below fort Erie, without

force ; and with one regiment of his division decidedly insufficient from sickness, and another expected to be so, in case of their taking the field, I should have considered major-general Riall highly culpable, in not having communicated to me every information he could procure, and every opinion he formed in consequence.

"I have been an eye witness of the zeal, energy and intrepidity of major-general Riall in action with the enemy, and in no instance whatever can I tax my recollection with the most trifling want of ability in that officer.

"Major-general Riall's command has been hitherto crowded with the most pressing difficulties. Through his unwearyed and unremitting activity, he has surmounted them all, and has acquired a superior degree of local information (which alone in a considerable measure calculates [*sic*] officers for particular commands) and now when an opportunity may soon offer of distinguishing himself, and of rewarding himself thereby for his labours in his country's cause, to be removed from so enviable a command would not strictly accord with that delicacy of proceeding, which major-general Riall's rank demands." [Can. Arch., C. 684, p. 14. Drummond to Prevost, 2nd July, 1814.]

experiencing any opposition. They were attended by a brig-of-war. A heavy fog concealed their movements, and so unexpected was their arrival, that a picket of the 19th dragoons narrowly escaped being taken by the advance guard.

There is never any doubt as to the number of the British troops brought into the field, owing to the states, the official report of men present, having been published. Falsification of these documents is simply an impossibility. They are drawn up for the information of the commanding officer, and misrepresentation would subject the offender to severe punishment. We have in these documents true and reliable statements. It is not the case with the United States returns. In some of their reports there is a difference of several hundred men under the heads of "present for duty" and "the aggregate present and absent." Modern writers, from the failure of the United States at Lundy's Lane, reduce the number of troops entering Canada to a minimum. I cannot myself recognize that the invading army was less than 6,000 men. It was composed of the 9th, 11th, 19th, 21st, 22nd, 25th United States regular infantry, a regiment of cavalry and four companies of artillery. This force was divided into two brigades, under Scott and Ripley. There was a third brigade of New York militia, under a prominent politician, who had been an active advocate of the war, general Porter, amounting to 2,000 men, including the Indians attached to it. There were, likewise, 600 Pennsylvanian volunteers.

The United States were always well served by their spies, or by those whose sympathies were with them, and looked forward to their certain success. The staff of the invading force knew well that Riall could scarcely bring 1,500 men into the field, and they pushed forward as if certain of conquest. The plan of the campaign by the United States authorities was to attack with an overpowering force either Burlington heights, or the troops on the Niagara; the theory being that the threatening attitude at Sackett's harbour, and

Plattsburg, would make it impossible for reinforcements to be sent to the west.

No time was lost in investing fort Erie. Drummond knew that it was not defensible in the full meaning of the word, owing to its imperfect works; for the fort had only lately been re-occupied, after having been abandoned for a twelvemonth. It was held by some men of the 8th and 100th regiments, with a small detachment of artillery under major Buck of the 8th. A battery of 18-pdrs. was established in front of the fort, from which some shots were fired. They were answered from the fort. One man was killed, and four of the assailants were wounded. On a summons from major-general Brown, Buck surrendered, with 107 men of all ranks. They were immediately taken across the river, and marched into the back country. The fort was at once occupied with a sufficient garrison, while three armed schooners were moored before it for security.

Drummond had anticipated, that the fort would have held out some days, to detain the invading army before it, so that he could have massed his troops to meet his assailants. Its surrender enabled the United States to press forward the main force towards Chippewa, and, in order to distract the attention of the British commander, a battalion of United States rifles with a strong force of militia, appeared at Lewiston, to threaten Queenston and fort Niagara.

Pearson was in command at Chippewa. His force consisted of 230 of the Royal Scots, 450 of the 100th, a detachment of artillery, with a troop of the 14th dragoons and 300 sedentary militia; the latter had but lately assembled at the rendezvous. There were likewise present 300 Indians. On hearing of the invasion, Pearson went forward with his light troops. On approaching the ferry opposite Black Rock, he found it occupied in full force by the United States. He retired, breaking up the bridges behind him as he marched. But he was closely followed, and the bridges were rapidly rebuilt. Brown advanced without the slightest misgiving. He knew the small body of troops that lay in his front, and

with his overwhelming force he anticipated sweeping them from his path. One ceremony was not neglected. As in the previous attempts at invasion, proclamations were distributed, promising that those who quietly followed their business should be treated as friends.

Riall was at Chippewa, and heard at 8 o'clock in the morning of the presence of the United States troops. Immediately he gave orders for five companies of the Royal Scots to join his force. He had already sent similar instructions to the 8th at York. Had they arrived, he would have attacked on the afternoon of the 3rd, when the enemy was on the march.

On the morning of the 4th, Winfield Scott's brigade advanced towards Chippewa. As it approached Street's creek, it encountered the British column, consisting of the light companies of the Royal Scots and 100th regiments, with a party of the 19th dragoons. Scott moved forward a company of artillery with three 18-pdrs. He also directed a company of the 9th infantry to cross the creek above the bridge, to assail the British right. Pearson, in view of the great strength of the opposing force, felt it necessary to retreat after having destroyed the bridge. During these movements, a detachment of the United States force came suddenly upon the troop of cavalry covering Pearson's retreat, and four troopers and eight horses were wounded in the skirmish which followed. The United States detachment retreated to a house, where they would have been captured but for the arrival of strong reinforcements. The bridge was repaired, and at eleven o'clock on the night of the 4th a portion of the United States troops crossed it, but the main body encamped to the south of Street's creek, a shallow stream from 18 to 20 feet wide, in three lines, the militia being in the rear, with the artillery on the right.* The total force present was little

* Street's creek is now known as Usher's creek, after the name of the proprietor of the land at a later date. The action was fought upon ground extending to a quarter of a mile north on lots 21, 22, 23, in the township of Willoughby, terminating approximately at the wharf, at which the Buffalo boats

short of 5,000 men of all ranks, of which 3,000 were regulars, with nine guns, some of which were 12-pdrs., three being 18-pdrs.

Riall's force was within his intrenchments on the north bank of the Chippewa, less than two miles distant. On the morning of the 5th his force had been increased by 480 rank and file of the 8th. It now amounted to about 1,500 regulars in all, including the 19th dragoons. His force was increased by the Lincoln militia and some 300 Indians.* With this body of men, he made his dispositions for attack at 4 o'clock in the afternoon.

The light companies of the Royal Scots, and of the 100th, with the second Lincoln militia, formed the advance. The Indians were thrown out on the right flank in the woods. The remaining troops were formed in three columns, the 8th being in advance.

The ground occupied by the United States troops was cleared for half a mile on both sides of the creek, subdivided by fences into fields, when heavy bush was met. The first line was formed with the right resting upon some buildings, where outposts close to the river Niagara supported the artillery; the left extended to the woods, sustained by riflemen and Indians.

The Norfolk militia with the Indians commenced the action by assailing from the woods the left flank. To meet the attack Brown despatched a portion of Porter's brigade. As they failed to make any impression, and the attack became more obstinate, he reinforced Porter to the extent that 1,300 men, militia and Indians, were engaged. Riall sent the three light infantry companies to the support of the Norfolk militia. They were composed of men who had some experience in this style of warfare; so, concealing themselves, they connect with the Niagara electric railway, opposite the house of Mr. Slater. No memento of the action at this day remains. The last to disappear was an oak tree marked by shot blown down in a storm some few years back.

* Royal Scots, 500; 1st batt. 8th King's, 480; 100th Regiment, 450; detachment of artillery and a weak squadron of the 19th dragoons. [Can. Arch., Q. 684, p. 53. 6th July, 1814.]

awaited the approach of the United States force till within a few yards, before firing. The volley broke them ; and assailed in flank by the militia and Indians, they gave way and fled in every direction, passing through the ranks of the regulars, and were re-formed only when the 25th regiment and a squadron had been sent to their aid.* Several were left dead on the field, and some prisoners were taken, among them three field officers of the Pennsylvanian militia. The chief of the Oneidas, Dockstader, was among the killed. Lieutenant-colonel Dickson, of the Lincoln militia, was seriously wounded, and the command fell on major David Secord, who had served in the early revolutionary war.

Riall had by this time brought his entire force into the field. He moved forward his three guns to engage the United States artillery posted in position to command the road. Scott's brigade was now crossing the bridge at Street's creek to the east, while Ripley's battalion forded the stream higher up, so the United States line extended to the wood. The British artillery was advanced to within four hundred yards, and was served with spirit and precision. They were opposed by Towson's battery, one of the guns of which was dismounted, and the remainder were shewing signs of weakness, when a shell struck the British tumbril with the ammunition, causing an explosion which disabled several men and horses, and, what was more serious, destroyed much of the ammunition.

Riall moved up his infantry to support the guns. The Royal Scots and the 100th, led by lieutenant-colonel Gordon and the marquis of Tweeddale, were rapidly pushed forward. They numbered 900 of all ranks. The 8th was placed in reserve.

This advance was not simply against Scott's brigade, which outnumbered them nearly twofold, but Ripley's brigade was deployed upon their right, and fired upon them by rapid discharges. When within 200 yards of the United States

* Wilkinson's Memoirs, I., p. 658. Given as an extract of Brown's report to the secretary of war, 7th of July.

line the order to charge was given, and the troops rushed onward. They were met by continual discharges from the artillery of grape, and cannon, and by musketry from the United States battalions on their front and on their right. The ranks of the British were closed up as men fell, but when within seventy or eighty yards of the United States column, the line fell into confusion. Riall, who was present in the advance, did all he could to re-form the ranks, but finally, as he saw the resistance they encountered, he withdrew them. The 8th was moved up to cover the retreat under colonel Evans. It was accomplished regularly, and without disorder. Riall wrote, that not a prisoner fell into the enemies' hands, except those disabled from wounds. The guns were brought away by the troopers of the 19th.

The losses of the United States have not been given in an authoritative manner. They have been set down in a publication, as at 308 killed, wounded and missing, but are considered to be understated. The principal loss fell upon Porter's brigade and that of Scott. The participation of Ripley's division in the action was confined to the fusillade on the flank of the British, at the time of their ineffective charge. The loss of the British was one-third of the force taken into action, being 149 killed, 316 wounded, 46 missing, supposed to be killed or wounded, making a total of 511. The charge by the Royal Scots and the 100th had told seriously on the ranks of the former; 63 were killed and 135 wounded, one officer being killed, and ten wounded, among them colonel Gordon. Of the 100th 70 were killed, 134 wounded, of the officers three subalterns were killed, and nine wounded, among them the colonel, the marquis of Tweeddale. These losses shew the determination with which the charge was made by 900 men, for nearly half their number, 433, were killed, or placed *hors de combat*. The gallantry with which it was made so impressed the United States troops, that they made no attempt to follow up their success by an active resolute advance. The 8th was drawn up in reserve, and covered the retreat. Possibly a repetition of the charge was

expected. Riall was enabled to carry off safely his force and his guns.

Although the charge failed, and the United States troops remained in possession of the ground, I can trace the impression made by that charge to the end of the war. Even if it did not positively establish, it suggested the overpowering force of the British attack when numbers would be equal. In actual strength, brigadier Winfield Scott's division alone outnumbered the British column but little less than two to one, while it was fired upon by the artillery, and was subjected to the flank fusillade of Ripley. I may be accused of exaggeration, when I compare it to the celebrated charge of the light brigade of over 600 in the Crimea.* The losses were even proportionately greater, while its moral effect was as deeply felt. As Balaclava was followed by Inkerman in ten days, the action at Street's creek was succeeded by Lundy's Lane in twenty days. The moral influence of this action is evident from the hesitation of the United States general to act with vigour; and his subsequent abandonment of his advance upon Queenston is a proof of his indecision. Indeed, as soon as he heard that the sails of Yeo's ships were visible, to tell him he had no hope of aid from Chauncey, but on the other hand that Yeo's fleet was bringing up British reinforcements, he appears to have departed from his preconceived plans, and to have observed in his movements a caution and hesitancy, which cannot previously be traced in his operations. I cannot be insensible to the thought, that this comparison may appear to many strained, if not unwarrantable; it has not, however, been hastily made, and consideration of it has the more established in my mind its justice.

The losses of Riall led him to abandon his position at Chippewa. He destroyed the earthworks he had thrown up

* According to Kinglake's "Invasion of the Crimea," [vol. II., p. 578] the light brigade numbered 673 sabres. The loss was 113 killed, 134 wounded; total, 247; and 475 horses killed and 42 wounded. The loss in the charge at Street's creek was, of the Royal Scots, 63 killed and 135 wounded; of the 100th regiment, 70 killed, 134 wounded, making 133 killed and 269 wounded; the total, 402 killed and wounded.

and on the 7th of July retreated along the Niagara river. The redoubt at Queenston was held at the time by a weak detachment, incapable of resistance to the powerful force by which certainly it would be attacked. It was also evacuated, and Riall took refuge at fort George. Many of the militia, feeling alarmed for their families, returned home. They were instructed to drive their cattle to Burlington heights, and to re-assemble there. The Indians left the corps in a body.

Throughout the whole of the campaign of 1814, the British force suffered from the want of food, and ammunition, of camp equipage, of money, of all that is necessary to men fighting in the field. The United States on the contrary had their ample supplies within reach. Their base was on the bank of the river of a mile wide, the waters of which they commanded ; and all the requirements of the campaign were lavishly supplied. As the designed facile possession of Canada was constantly avowed, as the justification of the war during the years of hostility which preceded it, so the hope of consummating the campaign by its conquest led to the magnitude of the efforts of 1814. The contrast of the abundance of supplies in all respects, at the command of the United States, was as great as in the remarkable preponderance of force.

It was not a welcome experience for the troops who had been engaged in this hard fighting to be cut down to half rations ; for the British soldier must be fed. Provisions, however, were short at fort George and it was absolutely necessary to enforce the reduced allowances. Parties were sent out to collect cattle and bring them to the fort, and that the necessity of the measure should be understood, an officer of the Lincoln regiment accompanied each party to explain the trying circumstances, in which the garrison was placed, and that the course taken was one of urgent necessity. The difficulty of supplies had been constantly felt by Drummond. Early in the year, in a letter to Bathurst, he expressed the opinion that it was to be regretted, that the necessity existed for the services of the yeomanry in the field, when, from their

absence, their farms were neglected. All provisions had been scarce, and extravagantly dear. It was with the greatest difficulty that the commissariat was able to procure the necessary food. Had Drummond's regular troops been of strength sufficient, he would willingly have accepted the domestic, for the military services of the militia.

On his arrival in the province, he had found martial law in operation in the matter of obtaining supplies for the garrisons of Kingston and Prescott. From the reluctance of the inhabitants to part with provisions in their possession, although the most liberal prices were offered, de Rottenburg had been compelled to resort to this measure, for the troops to be fed. The proceeding had been very unpopular; and during the session in March, the assembly had passed a vote of censure on de Rottenburg, for having had recourse to it, as an unconstitutional act. Drummond, hearing the state of feeling on the subject, and the discontent it had caused, as the winter roads became fit to travel, was induced to revoke it. The imperious necessity, however, of obtaining provisions had caused him again to put the law in operation. In the situation in which he was, there was a demand of 5,000 daily rations, and he had but 16 barrels of flour in store.* At the same time orders were given to the officers and agents collecting the supplies, to act with moderation. In order to assure fair treatment to those affected, he directed the magistrates of each district to determine in full assembly the prices to be paid, taking this duty out of the hands of the commissariat. In reporting the necessity under which he had acted, he added, that he would not be surprised if a vote of condemnation were passed upon his own conduct, and it would be a satisfaction for him to know that he had not acted unconstitutionally. He would not be surprised if actions were entered against the agents of the government. In such a case, as recommended by sir George Prevost, the law officers had been directed to defend them. He had, however, to fear that the verdict of the juries would be

* Drummond to Bathurst, 5th of April, 1814. Can. Arch., Q. 318.1, p. 65.

unfavourable, for the popular sentiment had been shewn by the refusal to supply provisions, when the most liberal prices had been offered. The new proclamation was dated on the 12th of April.

Notwithstanding his preponderating force, and his success at Street's creek of the 5th of July, which had caused Riall's retreat, the United States general acted with great hesitation. He advanced and took possession of Queenston heights, having allowed Riall to retreat to fort George without interference. Established so near to fort George, the appearance of his force was an ominous threat. It was known that the fort could with difficulty have resisted an assault, and the strength of the force lying within six miles of it was only too well known. Their inaction suggested that preparations were being completed, and that additional troops were being brought forward for the attempt. On the night of the 12th, lieutenant-colonel Evans, with captain Sadler's company of the 8th, marched towards Queenston, with the design of reconnoitring Brown's position, and, if possible, taking some prisoners. He came unexpectedly upon a strong party of New York militia, 120 in number, under general Swift. Although he had but 34 firelocks, that resolute officer was in no way disconcerted by the strength of the force opposed to him. A skirmish ensued. Evans lost six men. Among the other casualties of the United States force, Swift was killed, and Evans was able to regain the fort in safety.

Riall formed the opinion that the operations of Brown would be directed against Burlington heights, and he resolved to establish himself at the high ground of Twenty Mile creek. He marched with 836 men of all ranks, consisting of 320 of the Royals, 200 of the 8th King's, and 316 incorporated militia, with three 6-pdrs., and one 5½-in. howitzer. The new forts, fort George and Mississaga on the Canadian side, and fort Niagara on the right bank, were garrisoned by nearly 1,800 men, but the number of sick reduced the number of effectives to 1,550.

Riall further strengthened his position at Twenty Mile

creek, by ordering up 6 companies of the 103rd, under colonel Hercules Scott, leaving the heights to be defended by two weak companies of the 100th, some militia, and the invalids who had been removed there.

Brown continued, however, to remain at Queenston, a puzzle to the threatened fort. There were days when he marched out his force to within cannon shot of the heavy guns, and marched back to the position on the heights. There was no blockade of the fort. On one occasion two field guns dashed out, and shelled the rear guard, and five of the videttes were surprised by militia concealed in the woods, and brought in prisoners.

Drummond was at this time at Kingston. On his hearing of the action at Street's creek a levy of the whole militia force from the bay of Quinte to Long Point had been ordered, and had been answered by the patriotic feeling which animated Canada. Drummond, however, had another matter demanding his attention which exacted serious, even solemn consideration. I have related, that the reverse to Procter had led those who were United States sympathisers to believe that the conquest of the province must follow; several of them were still living in Canada, and professing allegiance to Great Britain. A party of these men had organized themselves under a leader, and were committing depredations upon the inhabitants who lived in localities where it was conceived no protection existed. Their activity was shewn particularly against known loyal militia officers, who were seized, carried off, and finally delivered to the United States authorities at Amherstburg. Their design, joined to that of plunder, was to disorganize the militia. I have placed on record the gallant conduct of Medcalf at Long Point and the handful of volunteers who, in December, 1813, defeated and made 15 of them prisoners.* Tried by a special commission at Ancaster, the whole were found guilty. The question now arose as to the execution of the sentence, which was to the effect that they should be hanged on the 20th of July. A

* Ante, p. 445.

long correspondence ensued, and the reports from the chief-justice, and acting attorney-general were carefully considered. It was sternly recognized, that extreme punishment was indispensable as an example. It was, however, believed that in some cases, there was ground for merciful consideration of the crime. The matter was examined with care and deliberation during May and June. Finally, after much anxious thought, and full consideration being given to all the circumstances of the case, it was resolved that seven should be reprieved for his majesty's pleasure. Eight were hanged on the date named.*

A loyal response had been immediately made to the demand upon Canadian manhood to enter upon active duty. Those who had left after the failure of the desperate charge at Street's creek, having visited their farms and arranged their affairs, returned to the field, throwing their bread on the waters, to take their chance against the immense superiority in numbers of the United States troops. With them it was a struggle for the defence of their homes, joined to their determination to cling to their nationality as British subjects. Many came from the London district. By these augmentations the force of Riall in a few days was increased 1,000 men who had arrived from the different battalions, with few exceptions in the full strength of manhood, but undisciplined and insufficiently accoutred and armed.

Brown remained at Queenston in daily expectation of seeing Chauncey's fleet approaching Niagara, so that with the heavy guns he would receive he might invest the posts on the Canadian side, and regain fort Niagara on the opposite shore; but Chauncey was ill, and would not allow the fleet to depart without him. Brown's men, however, were not idle, but roamed about pillaging the country, where there was anything to rob. Still the detachments sent out could gain

* Those executed were: Aaron Stephens, Benjamin Simmonds, Noah Hopkins, Dayton Lyndsay, George Peacock, Isaiah Brink, Adam Crysler, and John Dunham. The reprieved were: Samuel Harbitt, Stephen Hartswell, Isaac Petit, Jacob Oberholser, Garrett Neil, John Johnston, and Cornelius Honey.

no information in any direction. The women in the farm houses were always found to be ignorant, or gave some hearsay information which led the parties astray. The children met in the fields, and on the way-side, had been told what story to tell, if asked, and they repeated what was designed to mislead. The devotion of the Canadians to the British cause was a bewilderment to the United States regular officers. They found the whole population opposed to them, and more than ever devoted to their national cause. They had heard so much of the oppressive government of the provinces, and the total absence of all personal liberty which had created an universal desire to join the United States, that the opposite feeling was a matter of wonder to them. Every foraging party was attacked. Willcock's so-called "Canadian battalion" was prominent in carrying desolation in its passage. I have endeavoured to find some warrant for the name being given to this force. There was undoubtedly a class of men of United States birth and descent who had crossed into Canada, who were never loyal to the country of their adoption, and clung in memory to that of their birth. It is not impossible that with many distance gave enchantment to the view. On the contrary, there was a large number who had found a home in Canada, and who loyally accepted their responsibilities as British subjects, and in that character worthily fulfilled their obligations. That many of the former class may have joined Willcocks' battalion may be accepted as a fact, but to describe them as Canadians is without warrant. The title of the regiment had, however, its political uses, and so was retained. From what I can learn, the rank and file were composed generally of the United States men whom Willcocks had induced to enlist, in connection with the few I have described, who were disloyal to their new country. I can trace no Canadian family of respectability, any of whose members dishonoured themselves and their kin, by joining the United States ranks.

Among the parties who were passing through the district and plundering it, Willcocks' regiment was particularly

active. Old men and young boys who remained in their homes were seized, and sent prisoners to the United States. Women were ill-treated. Stone's regiment of mounted riflemen was described by Riall as "licensed plunderers." This aggression was not met by tame submission. Every party sent out was attacked as opportunity offered. On the 15th of July, a train of waggons was almost entirely destroyed. On the following day, an outpost of fort Erie was surprised and taken. On the 17th, a cavalry picket was attacked at Saint David's. Willcocks himself with difficulty avoided capture; his fate was in a few weeks to be killed at fort Erie. Had he been taken he would have been hanged. He would never have been treated as an officer of an enemy's force, but as a traitor and a scoundrel. His death at the Beaver dams might have led to military complications. A party under major Mallory was within an ace of being captured. On the 18th, when a strong reconnaissance had been sent against fort George, a British force came unexpectedly on Saint David's, and took many prisoners. On the pretence that some of the inhabitants had taken part in the affair, in which a captain of dragoons was killed, the United States officers burned this village. It consisted then of 40 houses. They destroyed every building as far as Niagara falls. At the same time "looting" went on in every direction.* It was stated that the New York general, Swift, killed in the skirmish with Evans' small force on the 12th, had in his pocket some of the silver spoons taken from a farm-house he had visited.

Riall's force was joined by some companies of the Gengarry light infantry, under FitzGibbon, whose name appears

* That this statement is not exaggeration I append the words of sir Gordon Drummond in a letter to Prevost, 5th November, 1814. [Can. Arch., Q. 318.1, p. 228.] "The wanton outrages, robberies, and excesses lately committed by the enemy's army on this frontier demand a severe retaliation, and I would recommend to your excellency to make the necessary communications to sir Alexander Cochrane on the subject, unless you would prefer that it should be inflicted on the opposite frontier, a service about which, I consider this division is perfectly equal at any time, effectually to perform."

constantly throughout the history of this war when there was anything to be done, and who escaped without a scratch. Riall now advanced his left wing to Ten Mile creek, occupying the country to de Ceu's falls, so that he menaced the rear of the position of the United States by Lundy's Lane. He was joined by every male in the district, influenced by a spirit of hostility, against the infamous plundering of the United States detachments sent out ; a feeling which passed to the next generations of the inhabitants of this district.

Weak as Riall's force was, he felt himself called upon, in order to protect the inhabitants of the more western districts which were threatened, to detach the Oxford battalion with some Indians for their defence. His suspicions had at this time been aroused by some negotiations, which had been carried on between the Indians in the service of the United States, and the British tribes, through interviews held with Norton. The fact was reported by him. The impression, however, seems to have passed away. With the force he could assemble, he took up a position at Twelve Mile creek. At this time it consisted of 1,700 regular troops, with 700 of the Lincoln militia and about 700 Indians. He had taken this step, on hearing that Brown had left a detachment of 200 men at Queenston heights, and had encamped within two miles of fort George. Evidently, he was threatening this post, and gathering materials for the commencement of the siege. Fort George was held by 400 of the 1st Royal Scots, and 260 of the 100th regiment ; fort Mississaga by 400 men, consisting of about 300 of the 8th, a volunteer company of coloured men, with some artillerymen. Fort Niagara was garrisoned by 550 of the 41st, and 50 artillery, some 600 men. In all the forts there was much sickness, and there were many very young men in the regiments, some of whom were mere boys. What gave Riall greater uneasiness was the information, that Brown had been strongly reinforced, and that his supplies were carried down the United States side of the river to Lewiston, and, by the many boats which had been collected, conveyed to the opposite shore.

Captain FitzGibbon was despatched on the dangerous duty of reconnoitring the position of the United States force. Thirty men were selected for their intelligence to accompany him. He approached so close, that he obtained a perfect view of the encampment. As he was watching the position, the tents were struck, and the whole army proceeded to move southerly, towards the falls. Their line of march extended, from a short distance from fort George to beyond Queenston, a line of more than six miles. FitzGibbon's party had by this time attracted observation, and he was pursued by some light troops nearly to the British out-picket. As usual, he arrived safely with the result of his observations. Riall, on receiving the information, sent forward a strong detachment to Four Mile creek, and was again brought in communication with the forts at the river's mouth.

Brown had abandoned his position near fort George owing to a despatch from Chauncey, that, his fleet being unable to leave Sackett's harbour, it was not in his power to bring reinforcements to Niagara. By a letter* of Prevost we learn that the blockade of the harbour had been abandoned in July. Chauncey, however, knew that the "Saint Lawrence," of 102 guns, was on the point of being completed, which would give the British the mastership of lake Ontario, and he was also suffering from fever. The vessel was in fact only launched on the 10th of September, and it was fit for sea and manned in the first days of October. Chauncey had no positive news as to the state of Yeo's strength at this time, and he may have considered that the abandonment of the blockade was a snare to entice him to sea, and bring him to close action with a superior force. Whatever the cause, he informed Brown that he could not co-operate with him at Niagara. Brown had also heard of the levy of the militia throughout Upper Canada. The news had led him to consider his situation. He resolved to leave his heavy baggage behind, and by a rapid cross march obtain possession of Burlington heights. He considered the strength of his force would, in the meantime,

* Prevost to Bathurst, 12th July, Montreal. Can. Arch., Q. 128.1, p. 30.

be sufficiently powerful to overcome any opposition he might meet. It was a project which had been discussed by Armstrong, the secretary of war, and was sustained by Scott. Ripley did not view it with favour. He conceived, that it had little chance of success, and would end in disaster.

Drummond by this time had arrived at York. He had brought with him 400 of the second battalion of the 89th, under lieutenant-colonel Morrison, who had been in command at Chrystler's the preceding November. Other reinforcements were on the way from Kingston, including the companies of the de Watteville, and detachments of other regiments; all the men available having been sent forward, so that Kingston had been left weakly garrisoned. At York, Drummond, knowing the difficulty of obtaining supplies, and desirous of reducing the mouths to feed, ordered the discharge from the militia of the men who were old, and not fitted for active service, and of the young boys whom he considered unequal to the strain of a campaign. He directed them to return to their farms to get in their hay, and attend to their home work. From the information he had received that Lewiston was the basis of Brown's supplies, he placed the 89th in two armed vessels, the "Star" and the "Charwell" and ordered them to sail for the Niagara forts. Lieutenant-colonel Tucker, in command, was instructed to make up the force from the three garrisons to 1,500 men, including the 89th, and the two flank companies of the 104th, which had been previously sent forward. The 104th was under the command of the colonel of the regiment, the general's nephew, William Drummond of Keltie, an officer of great dash and courage, who possessed a high reputation, even among the distinguished soldiers who were his comrades. Within a month from the date, on the 15th of August, he was to fall in the assault on fort Erie. Tucker was instructed to march at daybreak of the 25th, with this force to destroy the batteries said to have been begun at Youngstown, opposite Niagara, and to attack the place where the supplies were stored. Riall was ordered to advance towards Saint David's

and occupy Brown's attention, to prevent him sending reinforcements across the river. Riall was not to risk an engagement until the arrival of the reinforcements; a view he himself entertained. He was looking to the arrival of additional battalions, when he hoped to enter upon active operations, and sweep away Brown's army.

Drummond himself embarked on the schooner "Netley" on the afternoon of the 24th. He arrived at daybreak at Niagara. He there learned, that Brown had retired to Chippewa, and that Riall had advanced on the night of the 24th, and had occupied in force the important point of the junction of Lundy's Lane with the road from Queenston to Chippewa; some seven miles from Queenston. While he held this position, he barred all movement towards Burlington heights. Lundy's Lane followed due west for some distance a course that led to a road by which, at Twelve Mile creek, at De Ceu's falls, communication was directly obtained with the lake road to Burlington heights. The information necessarily changed Drummond's plan of operation. Hearing of the movement of Riall, Drummond ordered Morrison with the 89th, and detachments from the Royals and King's, taken from fort George, and Mississaga, to march to Queenston to be in readiness, if held expedient, to join Riall and act against Brown's force, reported to be posted at Street's creek. Tucker was ordered to proceed up the eastern bank with 300 of the 41st, and 200 of the Royal Scots and a body of Indians, supported by a party of seamen who would ascend the river, under captain Dobbs of the Royal navy, to capture, or displace the force at Lewiston. Owing to the unavoidable delay which occurred when the force arrived, the United States troops had moved off; 100 tents, however, were taken in possession, with a quantity of baggage and provisions. Brown, hearing of the movement, conceived that the point aimed at was Schlosser the base of his supplies. It was to distract the attention of the British general, and lead him to discontinue the enterprise, that he ordered the advance of Winfield Scott's brigade towards the falls. The anticipation was, that knowledge of

the movement would cause the whole force to be removed to the western bank of the river, and be concentrated at Queenston, to meet Winfield Scott's threatened advance. Drummond in reporting the event is careful to state, that he was entirely satisfied with Tucker's exertions.

The Royals, the 41st, and the Indians were crossed to Queenston, halted, and refreshed. The 41st and the 100th were ordered to proceed to the north, and join the garrisons in the forts, at the junction of the river with lake Ontario. The remainder of the column was moved forward towards the south, to make a junction with Riall. The troops continued their march to within half a mile of Lundy's Lane, where they halted. They had now marched 14 miles, seven miles in divided columns on both banks of the river to Lewiston, and Queenston; and seven miles from Queenston to the place where they halted. At this point, the militia which had formed a part of Riall's force was met marching north towards Queenston, covered by the Glengarry regiment. Both regiments were countermarched to form a part of Drummond's force. The column, consisting in addition, of the 89th, of detachments of the Royals, the King's, and the light company of the 41st, in all about 800 men, continued its movement southward. Drummond was in the rear. The column was within a short distance of the position, which it was understood was occupied by Riall, when a report was received, that the enemy was advancing in force. Drummond rode hastily forward, and joined the head of the column.

Riall's movements had been dictated by the knowledge, that Brown had abandoned Queenston, and had placed his force on the west of the Chippewa. In the march, Brown's men had not failed to plunder what dwelling-houses they passed, and they made prisoners of any inhabitants they met. On the night of the 24th, Riall had left the Twelve Mile creek with the Glengarry regiment, some 40 men of the 104th, the incorporated militia, the sedentary militia, a squadron of the 19th dragoons, and a detachment of artillery with two 24-pdrs. and a howitzer. The whole numbered 825 rank

and file, under the command of lieutenant-colonel Pearson. By 7 o'clock on the morning of the 26th they had gained the position they held.

Brown, judging that the force present at Lundy's Lane was no more than that of a strong reconnaissance, had sent forward Winfield Scott's brigade with Towson's artillery company of two 18-pdrs. and some dragoons, and mounted men. On arriving within two miles of the position held by Riall, Scott, learning that several British officers had been seen leaving a house near the falls, judged that the British were in front with a larger force than had been supposed. Accordingly he sent back to Brown, urgently asking for reinforcements. Brown, taking with him Ripley's and Porter's brigades, and Hindman's battery of seven guns, immediately advanced to his support.

Winfield Scott, subsequently forming the opinion that Riall's column was not of the strength at first conceived, determined to engage, and so pressed forward. Riall, on his part, considering that he was about to be attacked by a force greatly exceeding the strength of his own, resolved to avoid the action, and ordered Pearson to retire to Queenston, and await the arrival of Hercules Scott; and Pearson was commencing his march northward as Drummond arrived.

Colonel Hercules Scott, who had been left at Twelve Mile creek, had received orders to march at 3 o'clock to join Pearson's force. These orders had been countermanded, and Scott remained in his position until past noon. His command consisted of a troop of the 19th light dragoons, half of the battalion of the 8th, and seven companies of the 103rd, with two 6-pdrs. Riall having determined to retreat, sent orders to colonel Hercules Scott not to march to Lundy's Lane, but directly to Queenston. When Drummond met Riall and was informed of this change, he immediately despatched an officer to Scott, with orders to change his line of march, and join the troops in the position then held.

Drummond, with the British column, hastened forward to the top of the hill at Lundy's Lane, where he arrived about

six. As he reached the spot, he saw Scott's whole brigade in possession of the lower portion, advancing to hold the small eminence over which Lundy's Lane passed, and was actually within 600 yards of it. Drummond lost no time in taking possession of the higher ground, and quickly completed his formation, anticipating the movement of the United States troops to seize the position. As Drummond stood in line to fight his force amounted to 1,640 men.*

Drummond, in his report of the action, sent a sketch of the ground. Owing to its having been forwarded to lord Bathurst

* When Brown crossed into Canada on the 3rd of July his force consisted of 6,000 men. During the three weeks which had elapsed since this date, he had lost 350 at Street's creek; possibly 50 had been killed or taken prisoners since this date; a garrison had been left at fort Erie. Sickness and desertion had also thinned his ranks. A detachment had been stationed at Schlosser to forward supplies. But reinforcements had been constantly sent to him, and troops had been set in motion for his support. There is, however, the evidence of general Ripley, who in 1815 published a pamphlet in justification of himself. The returns published by him shew the total force on the 23rd of July to have been 4,900 thus comprised :

	Officers,	Non-commissioned officers and privates,	Total,
Two brigades of infantry.....	136	2,620	2,756
Reinforcements from fort Erie on the 24th of July .....	..	520	520
Porter's brigade on the 30th of July, after the action.....	61	538	599
Artillery.....	12	260	372
Losses in the action of the 26th.....	..	..	853
			4,900

The above return gives no account of the losses from stragglers, and the desertions which invariably follow a reverse, for such Lundy's Lane was to the United States.

No account is taken of staff, cavalry, mounted infantry, and the detachment of the engineering corps which we would describe as sappers and miners. There is, therefore, direct proof that Brown's force certainly was not less than 4,500. There were the guards and men on camp service, but this requirement was common to the two armies and need not be taken into account. Drummond in his despatch of the 27th, two days after the engagement, written from the battle ground, describes the United States strength in the sentence, "The whole force which has never been rated at less than 5,000 having been engaged." Of Drummond's personal honour and truth there has never been a question. This opinion was formed after three weeks presence of the United States army on the

by Prevost, it has been preserved.* It is there shewn that Lundy's Lane, on leaving the river road, runs over a slight eminence and continues to the west. The small Presbyterian church, with its churchyard, lay to the south-eastern corner and not far distant was a small orchard. The ground was cleared to both sides of Lundy's Lane, and to some extent east of the river road where the woods remained. The land within three-quarters of a mile south of the road was also wooded.†

Niagara frontier and cannot therefore be relegated to the domain of surmise. Drummond estimated the United States loss at 1,500. By the published returns they amounted to 853.

The British force engaged at Lundy's Lane during the first three hours consisted of Riall's division composed of the Glengarry regiment, 40 men of the 104th, the Canadian incorporated militia, the sedentary militia, and a detachment of artillery, numbering, rank and file.....

825

Drummond's force, after sending from Queenston to the forts at Niagara, the 41st and the 100th, consisted of lieutenant-colonel Tucker's column, composed of the 89th regiment and detachments of the Royal Scots and the 8th, and the light company of the 41st, rank and file.....

815

The total number with which the advance was made.....

1,640

At nine o'clock colonel Hercules Scott arrived with the 103rd regiment and detachments of the 8th, 104th, and of the sedentary militia, numbering.....

1,200

Total number present after nine o'clock.....

2,840

* Can. Arch., Q. 128.1, p. 135.

† The battle ground of Lundy's Lane presents almost the same appearance as in 1814, with the exception that it is surrounded by evidences of civilization. The site on which the struggle took place retains generally the same look as it then had. The ground to the south of the road remains a cemetery, but greatly enlarged; and, as it includes within its area the space northerly to the road, the scene of the action remains open ground. The old church has long disappeared. A new brick church has been constructed to the west of the height. The eminence continues as it was, crossed by the roadway, as it was then traced, and falling gradually off to the north to the lower land. Any one acquainted with the record of the engagement, standing upon the ground, can easily understand the movements of the contest as they are now recorded. An observatory has been erected on the northern side of Lundy's Lane, from which an excellent view of the surrounding country can be obtained. The main building contains also a museum, in which the effort is being made to collect relics of those days. To the south-east, in close proximity, is the town of Drummondville.

Drummond occupied the high ground with his guns, supporting them by the 89th, the Royal Scots, consisting of 320 men, and the 41st light infantry. The Glengarry regiment formed the right of the line. On the left, the Canadian incorporated militia with the 8th were posted east of the river road. The 19th light dragoons occupied the road a trifle north of Lundy's Lane.

The action was commenced by Winfield Scott as Drummond was occupying his position, and some companies of the 89th only arrived after it had begun, taking up ground on the left centre *en échelon*. The guns, two 24-pdrs., were immediately brought into service. The first attack was made about six in the evening, and was principally directed to the centre and left. On the right, the Glengarrys held their ground. As a part of the Royal Scots came into action, they mistook the Glengarrys, who, after skirmishing with the advance or Scott's brigade, had taken ground in the narrow lane at right angles to Lundy's Lane, for United States riflemen and fired into them. The movement caused some confusion, but as the Glengarrys in the action had only 31 wounded, the event could not have been of serious importance.

What Winfield Scott endeavoured to effect, as he brought into action his whole brigade, which consisted of four regiments, was to turn Drummond's left. Two of them were directed to the centre, while each of the British flanks was attacked by a single regiment. The artillery fire drove back the centre column. We hear nothing of the attack on the right. The column brought against the left concealed its approach by the bush, and unexpectedly came upon the Canadian incorporated militia as it was changing its position. The regiment was thrown into confusion and retreated, losing some 30 or 40 prisoners, among them some officers. The abandonment of the ground held by them, led to the retirement of the cavalry, a short distance to the north. No material advantage resulted from the movement, for the regiment recovered from its confusion ; taking ground in the rear of the 89th, fronting

the road, it formed an additional flank defence. During the confusion, captain Loring, riding by the road to bring up the cavalry, was made prisoner. Shortly afterwards general Riall, severely wounded, when passing to the rear, also fell into the enemy's hands. When Riall's capture was made known to Scott's brigade, the news was received with a loud cheer, taken up by the brigades of Ripley and Porter.

The British guns continued to be served with great vigour. A well-directed shell struck one of Towson's caissons, which exploded. The event was met by a loud cheer on the British side, and the United States guns were attacked with renewed pertinacity. The regiment, which had successfully engaged the incorporated militia, was also so warmly met by a fusillade, that it could not hold its own on the road, and retreated to the bush. Communication was thus again established with the British rear.

The attack on the height where the guns were placed was continued by Winfield Scott's brigade with great determination. It was understood on both sides, that this spot was the key to the position, and the movement was met with perfect steadiness, and intrepid gallantry by the 89th, the Royal Scots, and the 8th. It was from time to time repeated, to be repelled with serious loss to the assailants, but at the same time the British regiments greatly suffered. Finally, the United States force was completely driven back, one of the regiments being broken and scattered. The ascent was covered with their dead. The losses of the four regiments constituting Scott's brigade are given at a total of 505. They were experienced mostly at this time, shewing the vigour and courage with which the attempt to dislodge the British was made.*

	Killed.		Wounded.		Missing.		TOTAL.
	Officers.	R. & F.	Officers.	R. & F.	Officers.	R. & F.	
9th United States regiment	3	13	8	81	1	14	120
11th	"	1	27	7	95	1	133
22nd	"	..	36	7	83	3	143
25th	"	2	26	4	62	..	109
Totals.	6	102	26	321	5	45	505

Scott's brigade was replaced by Ripley's, and Porter's, which were brought into action, and the whole reserve of Brown was led forward against the undaunted British force which held the height and defended the guns. Now was the time for the United States to achieve success, if it lay in their power, and to sweep the British force from the field; for the whole reserve of infantry was brought into action. Against this powerful force, coming fresh to the fight, and encouraged by the hope of victory, the British could only oppose the columns, which had stood the brunt of the battle. Wearyed with their long day's march, and their unceasing defence of their position, they were without any reserve upon which they could count to sustain their exhausted strength. The one quarter to which they could look for help was the arrival of Hercules Scott's brigade, and from the losses they had suffered, the British lines at this hour scarcely numbered 1,200 men.

It was nine o'clock, and rapidly becoming dark, the darkness by degrees increasing in intensity. There was no moon,* but the fight was not relaxed. There was, however, a pause in the action while these movements were being made. The policy of the British was to remain on the defensive until Hercules Scott's arrival; that of the United States to gain possession of the hill before the brigade appeared. On both sides ammunition was brought up, while the United States were organizing an attack in force. The action recommenced by the 25th United States infantry of Winfield Scott's brigade, which still held its position in the bush, to the south of the river road, delivering a musketry fire on the British left flank, while Porter's riflemen advanced on Drummond's right to force its position. Drummond was able to meet this movement, and to turn it back without weakening his centre, for at this period Hercules Scott's division arrived from Twelve Mile creek.

They had had a dreary march, and had been on the move

* Reference to the almanack of 1814 shews that there was a new moon on the 17th, the first quarter on the 23rd, rose at 11.19; consequently, the moon on the 25th could only have come up a little before one. All accounts agree also in describing the "darkness of the night."

for nine hours. On the first orders received they had prepared to march at three a.m. They did not, however, leave till noon, and were within three miles of Lundy's Lane, when the order was received directing them to join the division at Queenston. They had proceeded four miles in this direction when they were ordered to come up to Drummond's force. They had thus covered a distance of twenty-one miles. For the last three hours, the booming of cannon and shot had echoed in their ears, and the men marched forward with that springy buoyant step which, however wearied he may be, distinguishes the British infantry soldier in the hour of danger: especially when he feels, how indispensable his presence is in the contest, and that the fate of his comrades, their very life, depends on the arrival of the reinforcement; so that they may range themselves shoulder to shoulder, with those who have been engaged in the fight so sternly contested.

Hercules Scott's force was his own regiment, the 100th, seven companies composed of very young men who had never been in action, five companies of the 8th under that resolute good soldier Evans, the flank companies of the 104th, captain R. Leonard and some companies of the Lincoln militia; in addition to Mackonochie's battery of 6-pdrs. and one $5\frac{1}{2}$ -inch howitzer. The whole numbered 1,200 men. The 104th was immediately placed to the right of the Royal Scots, so the line was prolonged, and Porter's attempt failed. Hercules Scott's remaining force was posted in rear of the 89th as a second line.

The assault against the centre was now made under the command of colonel Miller. It consisted of four regiments in line, sustained by a fifth regiment in close column of companies in rear. The artillery sustained them by a constant discharge against the British guns, now increased by Mackonochie's 6-pdrs. The United States battalion of attack numbered 1,400 bayonets, independent of the flank movement. It entirely failed. The centre regiment, the 1st United States infantry,* gave way and went to pieces.

* "To my great mortification this regiment, after a discharge or two, gave

Miller remained on the right flank. From the extent of the line his advance was made under cover of the church, the churchyard, and orchard. The British artillery had been more directed to the United States guns and the centre advance. The extreme right, under the favourable circumstances named, aided by the darkness which everywhere prevailed, had advanced with little opposition. Miller, keeping his own force steadily under control, after having fired a heavy volley, rushed forward and gained the summit of the eminence. He experienced, however, severe loss. Several of the British gunners were bayoneted while attempting to retreat, and the 24-pdrs. were taken in possession, and one 6-pdr. of Mackonochie's. Ripley's brigade was moved forward in support, while Winfield Scott's brigade was again advanced, and took part in the left attack. At the same time Porter's force engaged the extreme right of the line, where the 104th was placed.

The sudden successful dash of Miller had met with but little resistance on the part of the 89th, and the force placed in protection of the guns. The effort was now to be made to retake the position, held by the United States force. Drummond in his despatch says the guns were quickly recovered. Whatever the time taken to regain them, the conflict was of the sternest description. Brown narrates the attempt by describing his line as being in *échelon*, and that the enemy was repulsed, and two other attempts had the same result. During the struggle, the 103rd was moved forward, and in the darkness entered the centre of the position held by the United States troops. The regiment was only made too soon to know its blunder, by a volley being poured into the men, which led them to retire in confusion. But the ground was regained after desperate fighting. The British artillery was brought up to sustain the infantry charges, and the pieces of the two contesting forces were but a few yards distant when discharged. As the United States were driven

way and retreated some distance before it could be rallied, though it is believed the officers of the regiment exerted themselves to shorten the distance."

Despatch of general Brown. No date.

from their position, the gunners limbered up a British 6-pdr. instead of their own gun ; while a 6-pdr. United States gun was placed on a British limber. The guns were thus accidentally exchanged. But on the final assault a gun was positively taken ; and, this one gun remained as a trophy with the British.

The United States commanders again and again brought up their battalions to regain the hill. The darkness was intense, illuminated only by the flashes of fire from the musketry, and discharges of artillery. The formation of the troops was consequently imperfect, and confused. For an hour and a half the effort was made to drive the British from the ground with persevering determination. The fight became, to some extent, more an individual struggle between the opposing soldiers, than a regular military attack. It seems to have been thought that the British, from sheer exhaustion, could no longer hold out ; but the battle still surged forward with these attacks, as it were, sustained by this expectation ; while the British desperately held the hill, as the position from which they would command victory. The extreme darkness, in which the struggle was continued, made it the more remarkable. Any attempt to record the movements is out of the question, from its impossibility. Traditions and anecdotes, however, are not wanting in record of minor facts ; but they only play their part to give rise to contradictions, and often to repel belief by their inconsistency. The contest was clung to by Winfield Scott so long as he saw any hope of success. He had two horses shot under him, three of the regimental colonels of his brigade were *hors de combat*. Early in the day, he had received a contusion on his side, but he did not allow it to interfere with his duty. Finally, his shoulder was fractured by a musket ball, and, becoming incapable of further exertion, he was carried from the field. Brown was wounded and faint from loss of blood. Ripley was accordingly placed in command. Porter was also wounded, major McFarlane was killed, with six captains, and nine subalterns, while 56 officers of all ranks were wounded.

On the British side, Drummond was severely wounded in the neck, but he would not dismount to be cared for by the surgeon. He was everywhere in the field, cheerily urging on the men to fight to the last, "to stick to them." Riall was wounded and a prisoner, colonels Morrison and Pearson were both *hors de combat*. Robinson, in command of the incorporated militia, could not keep the field, but with all this heavy fighting, only 4 officers were killed and 36 wounded.

The United States generals at length saw the hopeless continuance of the contest. Brown gave orders to the artillery to retire to camp, and to Ripley to withdraw from the field. By midnight the contest was abandoned and the United States troops retreated towards Chippewa.

At the close of the action, of the 2,800 men who constituted Drummond's total force 878 had been killed, and wounded, or were missing, viz., 84 killed, 559 wounded, 193 missing and 47 prisoners.* Thus he had but 1,900 men at his command. If not of the class called *hors de combat* by wounds, they were so by fatigue, and weariness. Half of them had marched fourteen miles, and been engaged for six hours and a half. The remainder had marched twenty-one miles, and had been engaged for three hours; this, too, in the month of July, in the hottest season of the year. Everybody on the field suffered greatly from thirst and heat. No battle field more shewed the indomitable character of the British soldier, when commanded by a bold, able, resolute leader. The Canadian militia ranged by their side, fighting for their homes, and the flag under which they have the happiness still to live, also shewed that the blood of their sires had not in the slightest degree degenerated in their persons.†

It was the most renowned battle of the war, although the number of killed was less than at Street's creek. The great

* The detailed return is given at the end of this chapter.

† On this point Drummond is explicit in his despatch of the 27th of July. "The zeal, loyalty, and bravery with which the militia of this part of the province had come forward to co-operate with his majesty's troops in the expulsion of the enemy, and their conspicuous gallantry in this, and the action of the 5th instant claim my warmest thanks."

numerical superiority of the United States force; the three hours that Drummond with 1,600 men held his ground against the whole force of Brown, and after his guns had been taken, persevered in the fight to regain them; the character of "this extraordinary conflict," so described by Drummond, fought in darkness for nearly three hours, and its triumphal termination in favour of the British, have left this action so stamped on the mind of Canada, that it has become an event never to be forgotten. It will remain to us a memory like Cressy, or Agincourt. United States writers call it the battle of Bridgewater, also of Niagara falls. From the circumstance that Drummond's despatch was dated "near Niagara falls" the word "Niagara" is embroidered on the colours of the 8th, 41st and 89th, and of the York militia of Canada, as the memento of the gallantry of these regiments on that day. In Canada, the fight is remembered as "the battle of Lundy's Lane," the one name by which it is universally known; and it is the title retained by us to descend to our posterity.

The United States returns give the number: killed, 11 officers; 160 non-commissioned officers and rank and file: wounded, 53 officers, 520 non-commissioned officers and men: missing, 8 officers, 109 men. There is certain proof that the loss is understated. Drummond estimated Brown's loss at 1,500, "including several hundred prisoners," and he wrote the second day after the fight. James tells us,* that 210 dead, besides a good many wounded, were counted in the field upon the following morning, and that upon the subsequent advance of the British to Chippewa, they found a number of hastily made graves, in which the bodies had been so slightly covered, that the arms and legs in instances were exposed to view.

Many letters, published at the time in the United States, speak of the great losses. In these cases, the result of the action was attributed to the greater number of men brought by the British on the field. In Buffalo, they were described as

* Vol. II., p. 149.

5,000 in number against the 4,000 of the United States force. We at least obtain by this statement the number of the troops under general Brown. Of the strength of the British present there can be no dispute ; 1,600 at the beginning of the fight, reinforced at nine o'clock to a total of 2,800. This is established by documentary evidence. There are no authoritative accounts of Brown's numbers, given in his despatch. The attempt has lately been made to shew, that his force was less than that of the British ; but it is a hopeless effort.

Who more plainly than general Brown would have stated in his despatch to the secretary of war the fact of any disadvantage in this respect ? But he is entirely silent as to the numbers. I cannot resist the impression that Brown's report was partially suppressed and altered at Washington. The first part reads quite differently from the conclusion. The last sentence is wholly at variance with Drummond's statement that he had taken several hundred prisoners. Brown writes, "those noted as missing may be generally numbered with the dead. The enemy had but little opportunity of making prisoners." In a certain way Brown claimed the victory. Whether it was his own writing, or the sentence was written for him, a more disingenuous statement could not have been made.*

On the following morning, the 26th, Ripley crossed the Chippewa with the force he could collect, whether, as Brown put it, "to meet and beat the enemy," or to bury his dead and

* I deem it proper to give it in its entirety. "While retiring from the field, I saw and felt that the victory was complete on our part, if proper measures were promptly adopted to secure it. The exhaustion of the men was, however, such as made some refreshment necessary. They particularly required water. I was myself extremely sensible of the want of this necessary article. I therefore believed it proper, that general Ripley and the troops should return to camp, after bringing off the dead, the wounded, and the artillery ; and in this I saw no difficulty, as the enemy had entirely ceased to act. Within an hour after my arrival in camp, I was informed that general Ripley had returned (*sic*) without annoyance, and in good order. I now sent for him, and, after giving him my reasons for the measure I was bound to adopt, ordered him to put the troops into the best possible condition, to give them the necessary refreshment, to take with him the pickets and camp guards, and every other description of force,

gather his wounded, must remain a question. Drummond does not allude to his appearance. It is, however, probable that Drummond expected the fight to be renewed, and was prepared for an attack. Ripley did nothing. He may have seen that there was no hope of success in any attack he might make. There is ground for belief that he even expected pursuit, for he hastily retired, destroying the bridge at the Chippewa. He burned Street's mill. The wounded and prisoners were sent across the river. He abandoned the camp, and threw into the rapid current with which the river there flows, much of his camp equipage, and the provisions he could not remove. Indeed, he made no attempt to carry them away. Some light troops and Indians were sent in pursuit, but Drummond was wanting in strength to be aggressive; the men required rest; at least for a few hours. Ripley did not halt until he reached the ground opposite Black Rock, his troops worn out and exhausted. His determination had been to cross the river, but as there was no pursuit by the British, he proceeded to fort Erie, and secured his position. There was by so doing the political advantage of being able to state, that the United States still held possession of this part of Canada, and that the temporary retreat had only been caused by the immensely superior forces they had defeated. Such a position gave them promise of an early and decisive victory, which, if gained, would advance the long promised conquest of Canada, once thought so easy of attainment.

to put himself on the field of battle as day dawned, and there to meet and beat the enemy if he again appeared. To this order he made no objection, and I relied upon its execution. It was not executed. I feel most sensibly, how inadequate are my powers in speaking of the troops, to do justice either to their merits or to my own sense of them. Under abler direction, they might have done more and better." [James, Vol. II., p. 446.]

RETURN OF KILLED, WOUNDED, AND MISSING, OF THE RIGHT DIVISION, IN THE ACTION IN ADVANCE
OF CHIPPEWA [STREET'S CREEK], 5TH OF JULY, 1814.

RETURN OF KILLED, WOUNDED, MISSING, AND TAKEN PRISONERS, OF THE RIGHT DIVISION, UNDER THE COMMAND OF LIEUTENANT-GENERAL SIR GORDON DRUMMOND, IN ACTION WITH THE ENEMY NEAR THE FALLS OF NIAGARA [LUNDY'S LANE] ON THE 25TH OF JULY, 1814.

	KILLED.		WOUNDED.		MISSING.		PRISONERS.		HORSES.	
	REGIMENTS.	Staff.	Captains.	Subalterns.	Sergeants.	Field Officers.	Staff.	Total.	Subalterns.	Sergeants.
General Staff.....	1	1	1	2	4	2	2	2	1	1
19th Light Dragoons.....	15	16	1	2	5	107	115	2	3	41
Provincial Dragoons.....	12	12	1	1	3	3	54	60	1	12
Royal Engineers.....	3	3	1	1	1	1	3	3	1	1
Royal Artillery.....	1	1	1	1	1	1	15	16	8	8
Royal Marine Artillery.....	1	1	1	1	1	1	1	1	1	1
1st Royal Scots.....	1	1	1	26	29	1	10	9	168	188
8th King's.....	6	6	1	1	1	1	3	43	47	41
41st regiment.....	3	3	1	1	1	1	2	32	34	29
89th "	1	1	1	24	29	1	10	9	168	188
103rd "	1	2	4	7	1	3	4	3	32	43
104th "	1	1	1	1	1	1	1	3	27	31
Glenarry Light Infantry.....	1	3	4	1	1	1	1	3	27	31
Incorporated Militia.....	1	2	4	7	1	3	4	3	43	47
1st Lincoln regiment.....	1	1	1	1	1	1	1	1	1	1
2nd "	1	1	1	1	1	1	1	1	1	1
4th "	1	1	1	1	1	1	1	2	1	2
5th "	1	1	1	1	1	1	1	2	4	4
2nd York "	1	2	2	1	1	1	1	2	9	9
	1	1	1	1	1	1	1	1	1	1
	3	4	75	84	1	1	2	4	8	25
	1	1	1	1	1	1	1	1	1	1
	878	878	31	487	559	1	11	9	172	193
	1	1	1	1	1	1	1	1	1	1
	14	14	12	40						

[sic]
The addition shews 71 80.

[sic]
The addition shews 873.

CHAPTER III.

Ripley having sought refuge in fort Erie on the 25th of July, feeling certain that he would be attacked, turned the whole strength of his force to increase its fortifications, and make the place defensible; for Brown and Scott were both, from their wounds, unable to act. The former saw fit, however, to supersede Ripley, and ordered Gaines from Sackett's harbour to assume command. He arrived on the 4th of August.

Drummond, having received reinforcements of some companies of the de Watteville regiment, under lieutenant-colonel Fischer, from Kingston, and the 41st, under lieutenant-colonel Tucker, from the lower forts, was in command of 3,150 men, including the embodied militia present. The Lincoln and York sedentary militia, who had been engaged at Lundy's Lane, he dismissed to their homes. The garrison of fort Erie numbered 3,000 men, with three armed schooners, the "Porcupine," "Somers," and "Ohio." There were also the batteries at Black Rock, to the fire from which, the attacking force was exposed.

On the 1st of August, Drummond moved his headquarters to Palmer's, half way between Chippewa and fort Erie. The following morning, he occupied a position on the ground opposite Black Rock. On his appearance, the United States picket, posted there, retreated. Drummond here organized an expedition to cross the river, with the view of capturing, or destroying the depot of provisions at Black Rock, and Buffalo. A detachment of the 41st, and 104th, numbering 600 men, was embarked on the 3rd of August; the advance companies under the command of lieutenant-colonel Drummond. The disembarkation was effected without difficulty;

but their advance was opposed by a fusillade from a force which did not exceed 200, chiefly militia and Indians. The bridge over Schojeaquady creek had been destroyed, and no competent guide was present to point out a route to be followed. The men, by a sudden impulse of panic, were thrown into confusion, and "displayed an unpardonable degree of unsteadiness, without a solitary excuse." The officers, however, succeeded in re-forming the column, but two small redoubts on the right bank of the creek were in a position to obstruct by their fire the ascent of the path, by which the height could be ascended, even if it had been discovered. The loss of the British was, 1 sergeant, 11 rank and file killed ; 17 wounded, 4 missing. Total, 1 sergeant, 32 rank and file. The order was given to re-embark, and the expedition entirely failed. Had it succeeded, the troops would have been shut up in fort Erie without provisions, and from the want of them would have been driven to come out to fight Drummond's force, or to have surrendered.*

On the 12th of August the capture of two of the three armed schooners, stationed as a part of the defence of fort Erie, was effected by captain Dobbs, of the "Charwell," which, with the "Netley," was lying at fort George. They had brought up a reinforcement of seamen and marines to assist at the siege. These schooners had somewhat galled the British flank. In order to conceal their movements, a road was cut to lake Erie, and on the night of the 11th of August five *bateaux* were carried over its length of eight miles. The proposal to construct the road, and the offer to effect the transportation of the boats, were made by lieutenant-colonel Nichol, of the Canadian militia ; it was under his arrangement this work of labour and of difficulty was effected. Likewise, the captain's gig had been brought on the shoulders of the seamen from Queenston to Frenchman's creek. The whole force consisted of 75 officers, seamen and marines. The gig and two *bateaux* under Dobbs formed one division ; the remaining three *bateaux* were under the command of

* Can. Arch., Q. 1, p. 161. Report of lieut.-col. Tucker, 4th of August.

lieutenant Radcliffe of the "Netley." They pushed from the shore, and in silence rowed to the vessels.

They escaped attention by answering to the ships' challenge that they were "provision boats;" such boats were constantly passing and re-passing to the fort. The attack was immediately made. Two of the schooners were boarded and carried; the third would have been taken, had the cables not been cut, and Dobbs himself drifted to leeward by force of the current. The "Somers" had two long 12-pdrs., the "Ohio" one long 12-pdr., each having a crew of 35 men under a lieutenant. This gallant exploit cost the life of lieutenant Radcliffe, and one seaman, with four seamen wounded. The United States loss was one seaman killed, three officers and four seamen wounded. The prizes were taken to Frenchman's creek, the prisoners sent to fort George.

It may be here mentioned, that on the 16th of August a raid was made from Amherstburg upon fort Talbot. In modern geography it is described as being in the county of Elgin, to the south-west of London, eight miles from Port Stanley. A detachment from Detroit of 100 men, with a force of Indians, attacked the village. The place consisted of 50 houses. The invaders robbed the inhabitants of all they could carry away, even of household furniture and wearing apparel. The number left destitute of clothing and food was 49 men, 37 women, five of whom were upwards of 76, and 148 children. The inhabitants, who were held to be of weight and character, were carried away as prisoners: among them a member of the house of assembly, although suffering from fever and ague. So monstrous was this outrage, that no United States writer even alludes to it.

From the period of the 3rd of July, when fort Erie was surrendered to Brown, the defences had been greatly increased. The original building was of small size, and imperfectly constructed. It was situated some 150 yards from the river shore, and had no strong rear defence on the land side. Strong parties had been at work, even previous to Lundy's Lane, to make the fort tenable. Stone bastions

had been constructed to the rear, and an earthwork thrown up continued down to the water's edge. At this point a battery also had been established. The defence had likewise been extended to the south by a breastwork constructed parallel to the road for 350 yards, whence it deflected to the lake shore, to what was known as Snake hill, where lake Erie is met. Here a battery was also constructed. Thus the ground was intrenched to form an area of 700 by 250 yards.*

When, after Lundy's Lane, it was determined to hold fort Erie, the garrison had uninterruptedly worked to increase its defences. The area enclosed had been surrounded by a thick range of *abattis*, and lines of intrenchment had been thrown up, with a deep ditch on the outer side. Some United States writers attempt to cast blame on Drummond, for not following Ripley on his retreat from Lundy's Lane. In any case, it is a curious commentary on an event claimed as a victory. Possibly, the statement may be advanced as a proof, that the British arms met an unparalleled check by an inferior force. Had Drummond held a reserve to admit of active pursuit, had his demand for reinforcements early in the season been complied with by Prevost, the necessity of which had been so

* The ruins of fort Erie at this day present the appearance of a confused mass of intrenchments, from which it is impossible to form any theory of the original structure. Some of the walls remain of massive masonry, possibly about 150 feet in length, from eight feet to twelve feet in height. No loose stones are lying about, so the idea is forced upon those standing on the ruins, that much of the material of the original structure has furnished the quarry to which many of the chimneys in the neighbourhood may trace their creation. One of the bastions to the north, with the ditch is clearly defined. Unless some steps are taken to preserve the ruins, and intrenchments, a few years will see them entirely disappear. Fort Erie, however, is a memento which ought not to be allowed to pass away. If a certain area were enclosed, and some adornment given to it, the spot would be preserved at no great cost. The matter is worthy the attention of sir Oliver Mowat; and doubtless the transfer from the dominion government could be readily effected. In the present state of feeling of the province of Ontario, it may be safely assumed that a grant to assure its preservation would find favour with the legislature, for it is one, that in every aspect can be justified.

The distance from the international bridge is $2\frac{1}{2}$ miles, by a road by no means direct.

urgently asked, and so persistently refused, there would have been no ground for the criticism. Drummond's masterly conduct of the war needed no incentive to action beyond his own intrepid spirit; but he was powerless to become the assailant. It must be remembered, that on the morning of the 26th, after the action of the preceding day, of the 2,800 men brought into the field, 1,950 only fit for duty remained under his command. The men were wearied out by their long march and six hours' fighting, which closed only at midnight. The question really to be asked is, why did not the United States, with their great superiority of force, advance again to the attack on the following morning. The fact is, they had encountered the dauntless, resolute fighting of the British troops, and notwithstanding the advantage they numerically possessed, they accepted their defeat. Drummond was leagues away from Montreal, his base whence reinforcements and provisions were sent. On the other hand, Ripley was encamped on the bank of the river commanded by his armed vessels, on the opposite shore of which his resources lay, whence food and reinforcements were available, on the receipt of which he could rely. It was thither that the wounded had been removed to be tended; from this quarter he could safely count to obtain renewed strength. Drummond's wounded had also to be cared for, and had to be sent to fort George. His dead had to be buried, with the dead of the United States, for they, with many wounded, had been left on the field, to be removed by the victors. Drummond's generalship took another form than that of direct attack. The attempt was made by him, on the 3rd of August, as I have related, to destroy the sources of supply at Black Rock and Buffalo. The date certainly shews that there was no want of enterprise on his part, when this attempt was made within a week of the action. The object, as has been said, was to force the garrison, from want of supplies, to come out and fight, or to surrender. Again, the successful attack by which the two gun-boats were cut out beneath the guns of the fort, on the morning of the 12th, took place only nine days later.

There are three modes followed by the United States writers in depreciation of Drummond. In all cases they represent the old fable of the viper biting the file, for the facts are too plainly established to admit any misrepresentation to have weight. One is, while admitting the strength of the United States force to be of the extent named, to magnify the amount of the British force. Thus while recognition is made that the United States force present at Lundy's Lane certainly was not less than 4,000, the British force is named at 5,000. The most zealous investigation, however, clearly establishes that Drummond for the first three hours fought the action with 1,600, and that his force at nine o'clock was raised to 2,800. Another *modus operandi* to disarm criticism is to reduce the United States force to 3,000, even to 2,500. If this be so, where was the remainder of Brown's force with which he crossed twenty-two days previously? Brown is silent on the point of numbers. He, however, claims that victory was on his side, when he was carried wounded from the field; and discreditably, as the proceeding was unwarrantable, he threw the blame of the defeat on his lieutenant, Ripley. This censure he was subsequently forced to withdraw; censure, which posterity both in the United States, and the British empire, unequivocally condemns, at least such of the two peoples as are honest students of history. In this condemnation they are, at least, in common. If Brown, when he wrote his despatch, wanted explanations for his defeat, and could have found the cause in his paucity of numbers, the fact could have been strongly advanced. It was of political importance both to Monroe, and Armstrong, that such a public explanation should be made, and, had it been possible, Brown would gladly have made the statement. He in no way speaks of the number he brought into the field, a striking contrast in this respect to Drummond who is explicit on the point. Indeed, it was not in Brown's power to claim any such numerical disadvantage; it has remained for modern writers to explain his defeat on this imaginary cause. On the other hand, the statement of the fact, if true,

would have been in itself a condemnation of the secretary of war, Armstrong, for want of vigour and energy. The official correspondence shews that Brown's force was well provided, and in full strength. Armstrong's proposition had been to make a forced march, and hold Burlington heights. For that purpose Brown had entered Canada. Will any reasonable man believe that the campaign would have been undertaken with a force of 3,000 men? The modern attempt to reduce the number of Brown's force in the field is perfectly impotent; and it was the knowledge of this strength that hampered Drummond in the operations of the first days after the fight.

All the additional strength Drummond could obtain, was the right and left wings of the de Watteville regiment under lieutenant-colonel Fischer, and the 41st regiment under lieutenant-colonel Tucker, brought up from forts George and Mississaga, leaving them imperfectly garrisoned. With these reinforcements, his whole force amounted to 3,150 men only.

Then we hear of Drummond having allowed unnecessary time to pass before taking active operations against Ripley, and that such was the case is attributed to bad generalship. We are told that he should have attacked fort Erie the day after the action, and not have given time for the fortifications to be strengthened. The answer is the simple statement, that Drummond was without reserves, and his men were worn out with fatigue; and he was deficient in the strength, indispensable to the bold course that his unfriendly critics say he should have followed.

On the 13th, the day following Dobbs' gallant capture of the vessels, Drummond opened his batteries. They did not present an extensive bombardment. All the guns he could put in position were one long iron, two short brass 24-pdrs., one long 18-pdr., one 24-pdr. carronade, and one 10-inch mortar. The bombardment was continued for two days; the casualties were not serious. By the United States account they did not exceed 45 killed, and those *hors de combat*.

The assault took place on the morning of the 15th. The de Watteville regiment, under lieutenant-colonel Fischer,

marched at half-past two in perfect darkness* from their intrenchment. This column was to penetrate between Snakehill and the lake, which spot was considered to be sufficiently open to admit of attack; but a discretionary power was given to conduct the assault by any means held to be expedient. Drummond recommended that the attack should be made by the bayonet alone, and that the flints should be taken from the firelocks, "with the exception of a reserve of select and steady men who were permitted to retain them." A forlorn hope was to lead the way, and, wading through the lake, to advance against the works. This body of men, with half of the de Watteville light company, turned the left flank of the *abattis*, while part penetrated through the *abattis*, and gained the rear of the works. The noise of the march of the column as it approached drew upon it a heavy fire, and at the same time the guns from the redoubt, one 18-pdr., two 6-pdrs. and a 5½ inch howitzer, were rapidly discharged. With the de Watteville regiment were the 8th, the light companies of the 89th and 100th, and a detachment of artillery. The *abattis* were found to be impenetrable. Major de Vilatte and captain Powell, who had actually entered the battery, failed to hold their ground from want of support. A panic seized the de Watteville regiment who were following the immediate advance, and retreated with a precipitancy almost to overwhelm the 89th. That regiment, however, remained firm in its position and consequently lost few men. The 8th, under colonel Evans, which had been brought up at the *abattis*, when endeavouring to penetrate them, were carried away by the retreating de Watteville regiment which came upon them like a torrent.

The column of reserve, marching too near the lake, found themselves entangled between the rocks and the water. In this condition they were thrown into confusion by the retreating troops. From the extreme darkness it was not possible to effect any formation. During this time they were suffering from a galling fire from the battery, and the continual fusillade

* The new moon on that day rose at 10.21 a.m.

from the *abattis*. The loss was very severe. The attack was not renewed, for it was not until daybreak the regiments could re-form.

The attack on the forts and intrenchments was made by two columns. One, under lieutenant-colonel Drummond, the general's nephew, consisting of the flank companies of the 41st and 104th, in connection with a detachment of seamen and marines, under captain Dobbs of the navy, was directed against the fort. The second column, under colonel Scott of the 103rd, which consisted of the 103rd and two companies of the Royals, was turned against the intrenchments. The attack was made as soon as the firing of Fischer's column was heard. After some desperate fighting the demi-bastion was entered through the embrasures, and the guns were actually turned upon the other works of the fort, when some ammunition placed under the platform ignited, from the firing of the troops in the rear, and an explosion ensued. Many of those who had entered the place were killed, or mangled by its violence. A panic was at once communicated to the troops, who could not be persuaded that the disaster was the result of accident. In the state of confusion which ensued, the United States troops pressed forward, and delivered a heavy fire of musketry. The attack was consequently abandoned. Drummond advanced the battalion of Royal Scots to cover the retreat, so that it was made with steadiness.

The losses of the British were : killed, 4 officers, 2 of whom were lieutenant-colonel Drummond and lieutenant-colonel Scott, of the 103rd, who led the attacking columns, 1 sergeant, 1 drummer, 51 rank and file. Total, 59. The wounded were 24 officers, 12 seamen, 20 sergeants, 3 drummers, and 250 rank and file. Total, 309. The missing was a most formidable list, it was at first supposed that the greater part were killed by the explosion, 9 officers, 7 seamen, 41 sergeants, 3 drummers, and 479 rank and file, making a total of 539. The whole extent of the loss was therefore 905 of all ranks. Of this number, according to general Gaines, several were prisoners ; the precise number, however, is not given.

There is no reliable account given of the United States loss.

No immediate consequence followed the failure of the British attack. It was known in the fort that the loss of the assailants was severe. Gaines described it as 600, of whom 300 were killed, the remainder prisoners, adding that he was preparing his force to follow up the blow.

Drummond ordered up the 61st and 82nd to repair his late losses. Although they numbered some 1,040 men, they gave little additional strength, as six companies of the 41st were sent to fort George, and the 103rd to Burlington heights. The health of the troops had suffered greatly from the heavy and continual rains, and the privations to which they had been subjected. Provisions were short, for Chauncey was for a time again in command of lake Ontario, and neither men nor supplies could be forwarded by water. Many necessaries were wanting, and the men were suffering from much sickness. Torrents of rain fell continuously, and from the 8th of September the men remained in extreme wretchedness, being without camp equipage. Sickness also was in alarming increase. Drummond described his camp as resembling a lake in the middle of the woods. Consequently he resolved to change his position.*

The United States general, Brown, having recovered from his wound, resumed command on the 2nd of September. The garrison had been reinforced by regulars and militia. Although weakened by the losses of the 15th of August and several desertions, it still numbered some 3,400 men, while five armed brigs and one schooner, together mounting 58 guns, were present to aid in the defence. The ignominious retreat from Plattsburg, of the 11th of September, by sir George Prevost, became known, the description of which it will become my painful duty to give. The news had rapidly found its way to fort Erie. Brown, moreover, had learned the wretched condition of Drummond's camp, and the sickness which

* Can. Arch., Q. 318.1, p. 195. Drummond to Prevost, camp before Erie, 21st September, 1814.

oppressed his force, in consequence of which he had determined to change to a healthier position. He resolved, therefore, upon an assault of the British camp, to convey the idea that it was owing to his attack that the retreat had been occasioned.

The British had commenced a new battery with the design of enfilading the western work of the fort; but as the guns had not arrived, it had not been continued. Two small block-houses had been constructed in the British lines, one in the centre and one on the right; the lines being in the midst of a thick wood, a mile and a half from the encampment.

Brown increased his force by the "seven days men," so called, from their engagement in an emergency to act for that period. He had determined to make the attack when the de Watteville regiment was in the front. The officers were gallant, honourable gentlemen enough, but the men, foreigners, had been indiscriminately gathered. It was felt that they had not behaved well on the 15th of August, indeed Drummond had distinctly said so. Brown selected the period for the attack, when he knew that they would be on duty.

The attack was made about two o'clock, on the afternoon of the 17th of September. The rain was falling in torrents. A path had been opened out through the forest from the southern angle of the fort, to within 150 yards of No. 3 battery. The proceeding had not been discovered until the assault took place. The pickets were completely surprised. A second column emerged from a ravine where it had been concealed, and penetrated the British lines in front of No. 2 battery, and, turning to the left, made a junction with the first column under Porter. They obtained possession of both the battery and the block-house. The latter was held by a small force of the 8th, and was not ceded without a struggle.

Leaving a portion of the two columns to secure the prisoners, to destroy the three 24-pdrs. of No. 3 battery, and blow up the magazine, the main body of the force advanced to the second battery. Possession was obtained alike of this battery and the block-house, after resistance by the pickets,

but the United States reserve, consisting of four regular regiments, were advanced with the intention of completing the destruction of battery No. 2 and attacking battery No. 1. The firing, however, brought relief from the camp. The few companies of the Royal Scots, the 2nd battalion of the 89th, the Glengarry light infantry, three companies of the 8th, came upon the field. Major-general Stovin remained in command of the guns and troops in reserve. The Royal Scots and 89th, under lieutenant-colonel Gordon, advanced against No. 3 battery on the right, and made short work of driving out Porter and the troops left there, who retreated in disorder.

The three companies of the 6th, under major Taylor, and seven companies of the 82nd, numbering 560 rank and file, attacked with the bayonet the 9th, 11th, 21st, and part of the 19th regiments, at the lowest estimate upwards of 1,000 men. This detachment had not yet effected the destruction of the battery, or of the two guns it contained. The British drove them from the battery across the intrenchments, to the glacis, making several prisoners. On the left the Glengarry regiment, under lieutenant-colonel Battersby, accompanied by lieutenant-colonel Pearson, had recovered possession of No. 1 and the unfinished battery No. 4. By five o'clock the whole line of works was re-occupied, and the pickets re-established.

The British losses amounted to 115 killed, 178 wounded, and 316 missing; total, 609. The United States reported 80 killed, 214 wounded, and 216 missing; total, 510; a return which does not include the militia or volunteers. Drummond estimated that 5,000 men had been brought into the field. He reports 250 prisoners taken, and the losses of the United States at least equal to his own. Among the wounded was general Ripley.

The defeat of this attack was so felt, that there was no attempt to renew it. Brown re-called the force within his defences. Several of the most distinguished United States officers were killed, or placed *hors de combat*.

In spite of the failure, this event was heralded over the

United States as a splendid achievement. Immediately after the action, Drummond was joined by the 97th regiment. He, however, felt that to continue operations against the fort, much was required. Three of his guns had been disabled, and he was short of ammunition. Moreover, provisions and medical comforts were indispensable to the health of his men. So long as Chauncey was supreme on lake Ontario, the strength of his force made transport almost impossible. The camping ground was inundated with water, from the rain that had unceasingly fallen for days. The state of the roads made the movement of ordnance and heavy stores almost impossible; nevertheless, the heavy guns and mortars, with the stores, had been withdrawn to Chippewa, for there was no efficient supply of ammunition for their service. Drummond wrote that the division was again moveable, "and most anxious to be afforded an opportunity of shewing the enemy, that it is only behind works, as in the backwoods, that he can expect to gain any advantage over British troops." His first intention was to remain in the neighbourhood of the ground he occupied, although, until he obtained ammunition and guns, it was not possible to continue operations against the fort. It was not, however, his intention to throw open that part of the frontier by withdrawing behind the Chippewa, so long as he could keep the field. Even when he wrote, he questioned his ability to retain his position, owing to the disease which made its appearance in many of the regiments, from the privations and hardships to which the men had been subjected.

The sickness increased to such an alarming degree, for the rain had continued to fall for thirteen days, the troops having been badly fed, and having no protection except what they could obtain from roughly constructed huts, that Drummond did not hold it to be his duty to continue the blockade of a fort, garrisoned by a superior and increasing force, fully and amply supplied. On the evening of the 21st he occupied a new position in rear of the camp, so that if attacked, he could fight on ground somewhat open. His sick were sent to Chippewa. He had now but 2,000 firelocks, and he felt his

position to be critical, owing to the protracted period that must pass before he could receive supplies and reinforcements. The force available against him was increasing. Fort Erie now contained 3,000 militia, and a regular force of the same number. Izard was also advancing with a strong division. Accordingly, he ordered the Canadian fencibles to be sent forward, or any other corps from the centre division, efficient to meet the strain. The 8th, the King's, and the de Watteville companies were sent to reinforce the forts. The unprecedented heavy rain had likewise greatly affected the earthworks of fort Niagara, and much anxiety was felt on the subject by the engineer officers.

On the 10th of October the "Saint Lawrence," a vessel of 100 guns, was launched; and, being fully equipped, sir John Yeo's squadron left Kingston. Chauncey no longer made an attempt to dispute the possession of the lake, but retired to Sackett's harbour where he remained blockaded. The British were once more the masters of lake Ontario, and troops and provisions could be sent forward without interference.

In the interval, the reinforcements received by Brown suggested the possibility that a landing might be made on lake Erie, to reach the rear of the British lines. Drummond's advanced posts, accordingly, were thrown out to Black creek and Street's grove. A strong force was at Chippewa. The troops were so dispersed that the whole could be concentrated at any point in two hours' time. Lord Tweeddale was in command at Queenston. The right was watched by a picket of dragoons, and parties of militia, as far as Brown's bridge, 16 miles up the Chippewa, and to Cook's mill on Lyons' creek. A depot of ammunition was established at Twelve Mile creek, where the baggage could be sent in case of attack. The sick were sent to York, and Forty Mile creek. Drummond had now 2,800 men capable of being concentrated, whom he felt he could risk against double the number. Izard's force by the 11th of October had crossed to the Canadian shore at fort Erie, and the United States strength was estimated to consist of 8,000 men.

On the evening of the 13th of October, the United States force advanced to Black creek, which they crossed during the night, to reach Street's grove on the morning of the 14th. The outlying pickets retired. The reconnaissance was persevered in under a heavy fire, but no attack was made. At sunset they returned to Street's grove. Drummond wrote that, had his force permitted him to act, the movements of the enemy had offered a favourable opportunity for attack. With two additional effective regiments, it would be in his power to strike a blow, which would give immediate tranquillity, and go far to finish the war. But the letters he had received from the governor-general banished all such feeling. "Should," he wrote, "the 90th or some strong regiment not join him, and the requisite stores and supplies not arrive in the squadron, and disaster arise in consequence; should Chauncey decline an action, the naval commander in his opinion would have much to answer for." *

The United States force encamped at Black creek. When at this place, intelligence arrived that the British flotilla was in full sail towards Niagara. It had not yet been seen at the British forts at Niagara, from the wind having been unfavourable. The sails, however, had been watched on the lower part of the lake on the United States shore, and the news had been transmitted to Buffalo. It was well known that 16,000 of the peninsular troops had arrived in Montreal in July and August. So long as Chauncey held command of lake Ontario, they could not be sent forward with the necessary supplies to reinforce the right division, but Chauncey himself was blockaded in Sackett's harbour. The British were in possession of the lake, and it was to be expected that they were sending forward three or four regiments. Landed at Niagara, they would be at once brought up to attack. It was an event that the United States troops would not await. They retired with precipitation. Provisions were left behind, and some camp equipage

* Can. Arch., Q. 318.1, p. 208. Drummond to Prevost, 15th October, midnight.

burned, for which it was supposed there was no carriage. Even the boats, which had been sent across to Schlosser's for fresh provisions, returned to Street's grove, not knowing that the main body had marched. One of them was taken, containing bread and spirits enough for a brigade.

On the 18th, intelligence was brought that the United States force was moving up Black creek towards Cook's mill, on Lyon's creek. The Glengarrys, and seven companies of the 82nd, had been stationed here on outpost duty. As it was understood that the advance was being made in force, colonel Myers with three companies of the 82nd, and the 100th regiment, with one gun, was sent to feel the enemy. Drummond himself proceeded to the ground. The United States force consisted of the 5th, 14th, 15th, 16th regiments, forming a brigade of Izard's army, under general Bidwell. It had advanced over almost impassable roads. There was a difficulty in moving the ordinary waggon of the country, not to speak of guns. In this position, finding a strong force in his front, not only ready to meet him, but anxious to entice him into the open, Bidwell thought proper to retire at 2 o'clock. He retreated without destroying the mills, which he might have done on public grounds. Drummond adds, "I must do him the justice to acknowledge that, as far as I have observed, he has been studiously cautious in abstaining from his burning and plundering system, possibly admonished by the retaliation inflicted at Washington and on the coast."

By this time, the line of the Chippewa had been made defensible, so that the greater part of Drummond's force could be brought into the field, to oppose any movement made with the view of turning his right.

In spite of the terrible weather, and the impassable roads, Prevost had ordered half of the 90th to march from Kingston to York, 180 miles. Drummond, on hearing of the fact, wrote that the disappointment felt by him, that at such a season and in such a crisis the movement should be made, was greater than he could express. He "distinctly and earnestly" recommended that in addition to the 90th, two

effective regiments should be sent, one for active service, to be stationed at Burlington, one to relieve the troops at the Niagara forts.

He had also a difference of view with Prevost, relative to the governor's demand that something further should be attempted against fort Erie. If Prevost's letter is in existence, it has escaped my search. Drummond's reply, however, suggests that however courteously worded, its tone was anything but pleasant. Prevost understood thoroughly, in civil language to introduce some taunt offensive to the party to whom it was addressed. It will be seen that it was a remark of this character at Plattsburg that hurried Downie into action, when unprepared. Drummond was not one to be induced against his judgment to undertake an operation he deemed inexpedient. He plainly told Prevost that an attempt against fort Erie was neither prudent nor politic. Not prudent, for he did not think that the fort could be carried by a *coup de main*, or by surprise. The state of the roads and the destruction of the bridges had rendered the movement of artillery impracticable. Moreover, the lateness of the season, it was the month of November, made it inexpedient to expose troops to its severity, when wholly unprovided with camp equipage, stripped of all cover, and unprotected by warm clothing.

It was impolitic, because, in Drummond's opinion, the United States troops would soon vacate the place, and relieve them from the labour of blowing up the works, and would also save the loss of men that its acquisition would cost; for in his view the United States derived no advantage from its possession.

Before Drummond could despatch his letter he was enabled to add a postscript, that captain FitzGibbon had just returned, it was the 5th of November, with the confirmation of the rumours of its evacuation; that active officer having been sent forward to learn its condition. He found the works had been blown up, and the place completely

dismantled and destroyed. Nothing had been left behind but 10 or 12 kegs of musket balls.*

The evacuation of fort Erie was the last important event of the war. Winter was now advancing, and no further operations of magnitude were undertaken on either side. The United States forces remained at Buffalo, and its neighbourhood. The British still held fort Niagara on the United States side of the river, and forts George, and Mississaga on the left bank. Drummond for a time contemplated an attack of Izard's force encamped opposite to Queenston, late as the season was; but it required the co-operation of the gun-boats of the fleet, and strong reinforcements. The proposition found no favour with Prevost, and Yeo refused to co-operate, owing to the lateness of the season, and the damage that might arise to the ships.†

One of Drummond's last acts before leaving for the east was his protest to Prevost against the outrages committed by the United States troops, setting forth that they called for retaliation on the opposite frontier, a service he could well perform.

Before leaving the events of the war as they happened in western Canada, I must relate the expedition to Michillimackinac with reinforcements of men, stores, and ammunition. It would have been undertaken in 1812; but from the pressure of events at that time, it could not be carried out. It was foreseen, that a strong effort at its re-possession would be made by the United States. The importance of the fort, in connection with the north-west trade, would have made its loss seriously felt, and it was determined to attempt its relief so soon as the navigation opened. The officer selected for the duty was lieutenant-colonel McDouall, a zealous and active officer, whose performance of the duties entrusted to him has entitled him to the most honourable mention.‡ His

* Can. Arch., Q. 318.1, p. 221. Drummond to Prescott, 5th November, 1814.

† Can. Arch., Q. 128.2, p. 308. Drummond to Prevost, 6th October, 1814; 14th November, 1814, p. 452; Prevost to Bathurst, 16th November, p. 434.

‡ He entered the army in 1796, so we may infer he was born about 1780. He died a major-general on the 15th of November, 1848.

force, which numbered 90 in all, consisted of some men of the Royal Newfoundland, some Canadian volunteers, and 22 subordinate officers and seamen. By the 22nd of April, 1813, they were assembled at Nottawasaga, on lake Huron, with 24 *bateaux* deeply laden with provisions. The start was made on the 25th. There was no covering for the men. Suffering from the severity of the season, for 19 days they struggled on the northern waters of lake Huron, through immense fields of ice, continually exposed to extremely stormy weather, and to intense cold, which would have daunted men less bold and resolute. These men fulfilled their trust with the greatest intrepidity. All the boats arrived safely excepting one, the crew and the freight of which were saved. They arrived at Michillimackinac on the 10th of May. Their presence, it is scarcely necessary to add, caused the most intense satisfaction and delight; for by their arrival, the place was considered to be safe from danger. McDouall immediately took steps to strengthen the defences, and to prepare for the attack held to be inevitable. Shortly afterwards, 200 western Indians joined the garrison, under Mr. Dickson: they with many of the surrounding tribes expressed their willingness to take part in any expedition held to be necessary.

In November, McDouall received information that the post of Prairie-des-Chiens, on the Mississippi, had been taken in possession by a United States force, under a general Clarke. The place is 1,400 miles from the mouths of the river in the gulf of Mexico, and about 450 from Michillimackinac. Clarke had ascended from Saint Louis with six or eight large boats and 300 men, and established himself for the purpose of building a fort. In his operations he had behaved cruelly, and treacherously. He had cajoled eight of the Winnebagoes to meet him, and attacked and killed seven of them, while eating the food he had set before them. Four others, one of whom was the wife of a Sioux chief, he captured and placed in a log-house, and, when confined there, he shot them from between the open chinks of the timber of

the wall. The greater number of the Indians, who had accompanied McDouall, were from this territory. They were not only fearful for the safety of their wives and families, but they were animated by the strong desire of revenging the treacherous death of the men of their nation.

McDouall saw the political necessity of removing Clarke from the territory, that he had taken in possession. It was in the heart of the country held by the Indians, friendly to the British. If the force remained among them, the commander would not fail by bribes and threats to sow dissension in their body, with the view of gaining them for the United States. So undesirable a result would have affected seriously the trade of the North-West, and the Hudson's bay companies; moreover on the United States obtaining control of the tribes: they would have been enabled to turn them against Upper Canada. Accordingly McDouall organized an expedition against the new settlement, and placed it under the command of lieutenant-colonel McKay. It consisted of 120 of the settlers in Green's bay, some Canadian volunteers, and officers of the Indian department, with 136 Indians. At Green bay, his Indians were increased to 530, making a total of 650 men. There was one gun under a sergeant of artillery.

Mckay left Michillimackinac on the 23rd of June. Passing up Green bay, he ascended the Fox river, and by the Wisconsin reached the Mississippi. He found Clarke established in a fort on a hill behind the village, with two block-houses, with 60 or 70 men and six pieces of cannon. A large gun-boat was in the river with 14 guns, moved with oars, the men being protected from musketry by the tall, strongly-built bulwarks. The gun was set in position to play upon the gun-boat, and with such effect, that finally she cut her cables and descended the stream. McKay now turned his attention to the fort, and was about throwing in red hot shot, when it surrendered, with two officers, three sergeants, 58 rank and file, a commissary, and an interpreter. There were also two women. It contained five guns, 61 stand of arms, and a small supply of flour. All the Indians

with him behaved well, except the Puants who commenced pillaging. McKay was forced to place a guard upon the houses. After inflicting much damage and injury on the inhabitants, this tribe finally left. McKay wrote of them with great bitterness, and said they ought to be cut off to a man. They would listen to no officer, that did not hold a blanket in one hand, and a piece of pork in the other. The settlers in the neighbourhood took the oath of allegiance; the prisoners, from the want of means of feeding them, were sent on parole to Saint Louis.

Mckay had detailed some Indians to watch the gun-boat that escaped. On the 22nd of July, hearing that six barges were ascending the river, and that they had encamped at the rapids, they surprised the lower barge, took five pieces of cannon, and killed a large number of the troops on board. The other barges, learning that Prairie-des-Chiens was in possession of the British, hastily descended the river.

The long threatened attack of Michillimackinac took place in August. Five of the vessels of the lake Erie squadron were sent on the expedition; the "Niagara," "Saint Lawrence," and "Caledonia," brigs, with the "Scorpion" and "Tigress," schooners. In the total they carried 46 heavy guns and 420 men. The troops on board, under lieutenant-colonel Croghan, numbered above 740 of all ranks. Difficulty was experienced in passing lake Saint Claire flats, and it was not until the 12th of July that the vessels arrived at fort Gratiot at the mouth of lake Huron.

On the 20th of July the vessels cast anchor off Saint Joseph's island. It had formerly been a British post, but at this date it had ceased to be so occupied. A few houses were on the island. They were burned by the detachment sent on shore. The boats sailed up the Neebish rapids, crossed lake George, and ascended the Saint Mary river, through which the boundary runs. At the foot of the Saint Mary rapids on the British side, there was the small settlement which had been made a few years previously.

The owner of the Sault Saint Mary settlement was Mr.

John Johnston. United States writers describe him as having acted the infamous part of a traitor, having been a citizen and magistrate of Michigan territory. There is no ground for any such statement, and it is perfectly at variance with truth. He was born in the north of Ireland, and was the possessor of an estate at Craignear, Coleraine, Giant's Causeway. His mother was the sister of lady Mary Saurin, wife of the bishop of Dromore. He had arrived in Canada in 1792, and having been thrown into relations with the North-West company, settled at La Pointe, on the south shore of lake Superior. He there married the daughter of an Indian chief, Wanbogieg, "the White Fisher." Her name has been retained, Oshagushkodawequa. Subsequently he established himself at the Sault, as an Indian trader. He was there living a patriarchal life, his family being four sons and four daughters.

When colonel McDouall heard of the proposed expedition against Michillimackinac, knowing that Johnston had a large number of men in his employ, he applied to Sault Saint Mary for assistance. Johnston never hesitated a moment. His eldest son was a prisoner in the States, having been a lieutenant on the "Queen Charlotte," and wounded at the naval action when Barclay was defeated. He called his men together, about a hundred in number, and when they had testified their willingness to serve, he armed and equipped them ; and with the necessary provisions embarked for Michillimackinac.

As the United States vessels were leaving Saint Joseph's island, the commandant despatched two gun-boats to Sault Saint Mary, with a force under a major Holmes. The design was probably to reduce the place, for it was known as a depot of trade, where many persons were employed. He found the place entirely denuded of men ; there were present only some women, children, and old men. Holmes doubtless heard that those absent had left for Michillimackinac. In any case, there was nothing to interfere with his raid. He took possession of the premises, and Mrs. Johnston and her children fled to the woods. Major Holmes and his men robbed

the place of everything of value, plate, linen, wearing apparel. At the same time they supplied themselves amply with provisions ; they tore up the floors, to examine if articles of value were concealed. The stores were filled with goods for distribution as presents to the Indians, many of the bales not having been opened. Every article capable of being moved was placed on board the gun-boats. There was cloth of a fine description ; its destination was the United States ship the "Niagara," to be divided among the crew. Many of the buildings were burned, the horses and cattle killed, the provisions and vegetables that could not be removed were destroyed. Mrs. Johnston remained in the woods until the departure of the ships. On Johnston's return, he found the wreck I describe. Subsequently he applied for the compensation of his losses, which he estimated at several thousand pounds. His claim never obtained recognition. Such was the incidental event in the expedition, despatched to regain Michillimackinac.

The vessels now sailed to carry out the purpose designed. It is a marvel, that with the force at his command McDouall even thought of resistance. The militia and Indians were absent with the expedition against Prairie-des-Chiens, under McKay, who had also carried with him the one sergeant of artillery who constituted that branch of the service. A schooner, the "Nancy," attached to the fort, was absent at Nottawasaga to obtain provisions. McDouall's force consisted of 190 regulars, militia, and Indians. The vessels arrived before Michillimackinac on the 26th of July, but the troops were disembarked only on the 4th of August. They had anchored at the back of the island. The ground was well known to many in the expedition, and the landing was covered by a discharge of grape and canister.

Although McDouall had only his force of 190 men, he determined to leave the fort, and attack his assailants in their advance. His object was to give encouragement to the Indians, and he had every confidence in the Newfoundland regiment. The position taken by him was too extensive for the few men he had, and he had been able to leave only 25

men in the fort. On his flank and rear there were thick woods, and he trusted to the Indians to prevent their being occupied by his assailants. A natural breast-work protected his men, and his orders were, on the approach of his enemy, to fire a volley and charge, how great soever the disproportion of the force. The 6-pdrs. and 3-pdr. were fired as the enemy approached, but from the inexperience of the gunners they were imperfectly served. The United States troops advanced cautiously and slowly, declining to engage in the open; and they were gradually gaining the left flank, the Indians having abandoned the ground, without having fired a shot. McDouall had, therefore, to detach a part of his force to check the movement. Hearing that two of the ships had anchored in rear of his left, and that troops were moving in that direction upon the fort, McDouall proceeded to place himself between them and the fort, taking up a position which threatened their advance. Collecting the greater part of the Indians, with 50 of the militia, he proceeded to the support of Thomas, a chief of the "Les Folles Avoines" Indians who had commenced a spirited attack upon the enemy. In a short time, the attacking force lost the second in command, major Holmes, the hero of Sault Saint Mary, and several officers, and were thrown into great confusion. Unable to re-form, they beat a retreat, leaving 17 dead on the ground. The remainder they carried off, with a great number who were wounded. They retired in great haste and confusion, finding shelter under the broadsides of the ships. In the evening they re-embarked, and the vessels sailed away, with a loss of 66 killed, wounded and missing.

Failing in his attack upon Michillimackinac, and hearing that lieutenant Worsley was at Nottawasaga river with the "Nancy," schooner, engaged in the transport of provisions, Sinclair, who was in command of the flotilla, despatched the "Saint Lawrence" and "Caledonia," brigs, to fort Erie with a division of the troops. The other three vessels, the "Niagara," "Tigress," and "Scorpion," sailed in search of the "Nancy." She was lying about two miles up the river

under protection of a small block-house. The river at its entrance for some short distance runs parallel to the bay, and forms a narrow peninsula. Sinclair here landed his force with a $5\frac{1}{2}$ -inch howitzer. At the block-house was a 6-pdr. gun, with two 24-pdr. carronades at its entrance. These guns were served with spirit. Worsley's force consisted of 23 officers and seamen. Against him were the three vessels, with 500 men, and 24 guns, among which were 18 32-pdrs.

Sinclair was enabled to take a position on the lake to come within battering distance. Worsley, seeing that defence was impossible, laid a train to the block-house. Shortly afterwards a shell struck the "Nancy," and Worsley consequently blew up both vessel and block-house, escaping with his men by boats up the river, where Sinclair could not follow him. Fortunately, also, some heavily-laden canoes, which were in Georgian bay, were enabled to enter French river, and escaped.

Sinclair left behind him the "Tigress" and the "Scorpion" to blockade Nottawasaga bay. It was the only route by which supplies could reach Michillimackinac, and he was resolved to starve out the small garrison, so that no alternative but surrender should present itself. The two schooners shortly left Nottawasaga bay, and took their station opposite Saint Joseph's island.

Worsley, with the stores and provisions he had succeeded in carrying away from the "Nancy," coasted along the shore, and safely reached Michillimackinac. On the 31st of August, the position of the two schooners had been reported by the Indians, that they were lying five leagues apart. An attempt at their capture was immediately proposed, and acted upon. Four boats were equipped, two with field-pieces. The force was divided into two parties; one under lieutenant Worsley, with midshipman Dobson, one gunner's mate, and 17 seamen; the second under lieutenants Bulger, Armstrong, and Radenhurst of the Newfoundland regiment, with two sergeants, and 56 rank and file. A bombardier and a gunner of

the Royal artillery and a 3-pdr. and 6-pdr. were in the second boat. Major Dickson, of the Indian department, and other officials, with three Indian chiefs and Indians, the whole amounting to 92 men, were in possession of the remaining boats. They arrived at what is known as the "Detour," where the ascent is made to lake Superior, the route followed to lake Huron being there left. On the evening of the 2nd of September, not knowing the precise position of the schooners, they concluded they would remain concealed during the following day. They embarked on the evening of the 3rd. They had six miles to pass over before the vessel was reached; the distance was accomplished in perfect order, and silence. When within 100 yards, their approach was discovered, and a smart fire was opened from the "Tigress," for that was the vessel they were attacking, from the long pivot 24-pdr. and musketry. But the boats rowed hastily forward, and in five minutes the vessel was boarded and carried. The crew consisted of 30 officers and men. The British loss was two seamen killed, and five soldiers and seamen wounded. The United States loss was three men wounded, three missing, supposed to have been killed and thrown overboard. All the officers were severely wounded.

On the morning of the 4th, the prisoners under a guard were sent to Michillimackinac, and preparations were made to attack the other schooner, 15 miles distant. On the 5th she was seen beating up; the soldiers were directed to lie down, and keep out of sight. The vessel came within two miles of her former consort during the night, and anchored. On the 6th the captured vessel slipt her cable, and ran down under jib and foresail. Worsley managed everything so well, that he was within ten yards of the United States schooner before her commander recognised that the "Tigress" had been taken. In five minutes her deck was in possession of the British force, and the British flag was hoisted over that of the United States. The "Scorpion" was commanded by lieutenant Turner of the navy, with a crew of 32 men. She had 2 killed, and 2 wounded. The loss of the British, in the two

actions, was 1 lieutenant, 7 rank and file wounded, and 3 seamen killed. Worsley, with the two prizes, returned to Michillimackinac.*

It was not to be expected that the capture of Prairie-des-Chiens would remain without an attempt at re-conquest. Eight large gun-boats left Saint Louis in September. They were propelled with oars, and protected by their heavy bulwarks from musketry. As their advance became known, 1,200 Indians assembled at the rapids at Rock river to dispute their passage. On hearing of their approach, captain Anderson sent from fort Mackay, for such name had been given to the new possession, a detachment of 20 men with a field-piece and two swivels. The Indians were placed under the command of Graham. The boats appeared on the 5th. The guns were served by sergeant Keating, Royal artillery, with such skill, that the boats were unable to shew any resistance. They were completely beaten and driven down the river. After burying their dead, they returned to Saint Louis. I can find no record that the attack was resumed. †

The last act of the war was the advance of a large force of mounted Kentucky rifles from Detroit. On reaching the Grand river on the 6th of November, they found their passage disputed by the 103rd regiment, and a strong force of Indians. They did not persist in their attack, but retreated by the Talbot road, visiting Long Point as they passed, and plundering the inhabitants. Their march was marked by robbery, and by the desolation they left behind in localities, where no opposition was experienced. Their design was to destroy everything that tended to sustain life, and, so far as they could, to turn Upper Canada into a desert. Finding before them a force they could not meet, they retired whence they came, having only played the part of the marauder.

* Can. Arch., C. 128.2, p. 293. Lieutenant-colonel McDouall to sir Gordon Drummond, 9th of September, 1814, enclosing Bulger's report of 7th September, [p. 298].

† Can. Arch., Q. 128.2, p. 430. McDouall to Drummond, Michillimackinac, 2nd October, 1814.

Thus, the close of the campaign of 1814 saw Upper Canada without the loss of an acre of her territory, with the exception of Amherstburg, which, after the defeat of Barclay on lake Erie, it had been impossible to hold. The distance from York, 270 miles, made the delivery of supplies by land impossible. The one condition of retaining Amherstburg and Detroit, was the command of lake Erie. Had the war continued, the most earnest and continuous efforts would have been directed to attain this result. The large reinforcements which had arrived, would, in the spring, have undoubtedly effected the capture of Amherstburg. The construction of a fleet would have been continuously followed at that place, and at Matchedash bay, north of lake Simcoe, protected by the presence of a large disciplined force, to make interference impossible. Had the war continued during 1815, the scene of war would have changed to the north of the state of New York, and some of the western states would have received the same treatment as their troops had imposed on Canada.

It is impossible not to do justice to the intrepidity, and the masterly ability with which sir Gordon Drummond conducted the campaign of 1814. He was never absent when his presence was required, always at the post where duty called him. His vigour and energy were untiring, his judgment unfailing, his courage unappalled by most threatening danger. However crippled his plans from want of means to carry them into execution, through the perversion of Prevost, he persevered with undiminished constancy of purpose, and unfailing serene determination. His numerous letters shew his ability, foresight, and unflagging vigilance. Like all great commanders, he obtained the perfect confidence of his soldiers; a truth plainly shewn at Lundy's Lane, when the men, for hours sustained by his cheery voice, clung to the contest in absolute darkness, eventually to conquer. He may be regarded as the preserver of Upper Canada from the hour he assumed command. Drummond himself was born in Lower Canada, and, from his known character, it may be said he must have felt he was battling for his birthright. Though

well connected, he had come to the front by his own merit and ability. It was his genius, not family interest, which led to his distinction. His gallant services in Canada have obtained for him in this country a name, never to be forgotten as representative of military genius, and of great political ability and wisdom ; in private life, as one sustained by the most chivalrous sense of truth and honour ; who, by his career, made manifest how good faith, and personal dignity, can be exercised in the most difficult and trying situations of life, without the sacrifice of a single principle of right and justice.

CHAPTER IV.

The operations in Nova Scotia in July and August, 1814, also claim attention. On the 7th of July, lieutenant-colonel Pilkington, with the 102nd regiment and a detachment of artillery, arrived at Shelburne, on the south-west of Nova Scotia, where he had been preceded by sir Thomas Hardy in the "Ramilies." On the following morning, the ships of war and transports sailed for Eastport, on Moose island, Passamaquaddy bay, Maine. They arrived at three o'clock in the afternoon. A boat was despatched to the United States fort with a summons to surrender, five minutes having been allowed for an answer. The proposal not being accepted, the troops, who had been placed in the boats, pulled off under the command of captain Senhouse. Previous to reaching the shore, the United States colours were pulled down, and major Putnam, of the 40th regiment, with about 80 men, surrendered as prisoners of war, with all the public property. The garrison was permitted to march out with the honours of war. Several guns, small arms, cartridges and tents were obtained, but many of them were unserviceable. All the islands in Passamquaddy bay also came into the possession of the British. Moose island, about four miles in length and two in breadth, was in a high state of cultivation. The population was estimated at 1,500, and furnished 250 militia.

On the 25th of July, sir John Sherbrooke, with rear admiral Griffiths and a land force composed of the 29th, 62nd and 98th regiments, and two companies of the 7th battalion of the 60th regiment, sailed from Halifax. On the morning of the 30th, they fell in with the "Rifleman" sloop of war, from the commander of which, captain Pearse, they learned that the United States frigate, the "Adams," had entered the

Penobscot, and, to avoid attack, had proceeded up the river as far as Hampden.

Sherbrooke's original intention was to have taken possession of Machias, but it was deemed expedient to proceed directly to the Penobscot. The fort of Castine was situated on a peninsula on the eastern side of the river, and it was summoned a little after sunrise. The officer in command refused to surrender. A fire from four 24-pdrs. was immediately opened upon it, from the small schooner sent in to reconnoitre. Arrangements were made for disembarking the troops, but, before a landing could be effected, the magazine was blown up, and the force escaped up the Majetaquadous river, carrying with them two field-pieces. The force was landed, when information was obtained, that the only regulars at Castine had been those who had blown up the magazine. The militia who had been present had dispersed.

It was now determined to attack the "Adams," and, if she could not be taken, to destroy her. As Hampden, where the "Adams" had sought refuge, is 27 miles above Castine, it was considered advisable to occupy a post on the western bank, so that support could be afforded to the expedition if it were required. Belfast was therefore taken in possession, and held by major-general Gosselin and the 29th regiment. So soon as the tide served, the ascent of the river was made under captain Barrie. The land force accompanying it was under lieutenant-colonel John, consisting of a detachment of artillery, and the flank companies of the 29th, 62nd and 98th regiments.

Owing to the report that a strong party of militia had assembled about four miles from Castine, on the road leading to Blue hill, on the 2nd of September, a strong patrol was sent out. The main body had however dispersed, and the men had gone to their homes; a few stragglers remained, and some prisoners were taken. No intelligence having been received from the expedition on Saturday night, at three o'clock on Sunday morning the 4th, Sherbrooke, with 700 men, marched upon Buckstone, 18 miles higher up on the

Penobscot, on the eastern bank. He was accompanied by admiral Griffiths. Having reason to believe, that the light guns taken from Castine were secreted in the neighbourhood, they applied for them to be delivered up. As there was hesitation at meeting the demand, a threat was made that the town would be destroyed if they were withheld. Two 3-pdrs. on travelling carriages were in the course of the day brought in.

Captain Barrie and lieutenant-colonel John proceeded up the Penobscot. When above Frankfort, they discovered some troops on the march to Hampden. A force was landed to intercept them, and the detachment was driven back with one man killed and some wounded ; the troops were thus prevented from joining the main body. The expedition arrived off Bald Head cove, three miles from Hampden, about five in the evening. It was determined to land immediately. Some United States pickets were posted on the north side of the wood ; they were attacked and dislodged, and by ten at night the whole force was landed, and bivouacked on the ground. It rained incessantly. The troops were under arms at five in the morning ; the boats on the river, and the land forces advancing at the same time. In addition to the artillery, the naval force landed one 6-pdr., a $5\frac{1}{2}$ -in. howitzer, with some rocket apparatus.

The fog was so thick that it was impossible to distinguish the features of the country, or the position and numbers of those who were to be attacked. The number of United States troops was reported to be 1,400, under the command of brigadier-general Blake. Between seven and eight, the skirmishers were sharply engaged. Support was sent to them, and the column pressed forward : the United States force was found in line, occupying a position in front of the town, the left flanked by a hill commanding both the road and river, mounted by several pieces of cannon ; at the same time the line extended beyond the left of the British. An 18-pdr. and several light pieces were in the centre. These guns completely commanded the road, and the narrow bridge at

the foot of the hill, by which the British must pass. A sharp fire was opened. The British, however, rapidly crossed the bridge, and deployed. A charge was made, and the guns were taken in possession. The column was pushed forward, and the United States troops were driven on all points from their position. The hill on the British left was likewise forced; from the summit it was seen, that the "Adams" frigate was on fire. About a quarter of a mile to the southward of the position of the "Adams," eight 18-pdrs. had been placed, which commanded equally the highway by which the British must advance, and the ascent of the river. On a wharf close to the "Adams," a second battery of fifteen 18-pdrs. had been established, where the river was not above three cables wide, the land on each side being high and well wooded. Having destroyed the defence of the first battery, the boats advanced to the attack of the wharf, but before they came within grape shot distance, the hill had been stormed. The battery in consequence was immediately abandoned, and the "Adams" set on fire.

Captain Barrie relates, that he joined the land force immediately after this event, and steps were taken to pursue the enemy, who were flying at full speed on the Bangor road. "The enemy," says captain Barrie, "were too nimble for us, and most of them escaped into the woods on our left." Two brass 3-pdrs. and three stands of colours were also obtained. Brigadier-general Blake, with 191 men, surrendered as prisoners, and were admitted to parole. The 80 prisoners taken at Hampden were retained. The loss of the United States was stated, as from 30 to 40 killed, wounded, and missing. The British loss was 1 rank and file killed, 1 officer, 7 rank and file wounded, 1 missing; 1 seaman killed. Of the 18-pdrs. taken 11 were destroyed, there being no means of bringing them away.

In the expedition, two ships, one brig, six schooners, and three sloops were captured and brought off. Besides the "Adams," a frigate of 26 18-pdrs., two other ships, one of them armed, were burned by the United States authorities.

At Bangor, the British burned one ship, one brig, three schooners, and one sloop. The unfinished vessels on the stocks in several places on the river were left without interference.

The British troops descended the river, and the force in occupation at Belfast was removed. As Machias was the only port remaining in the possession of the United States between Passamaquaddy and the Penobscot, lieutenant-colonel Pilkington was sent with an expedition to take it in possession. He sailed from Penobscot bay on the 9th of September with a detachment of artillery, and a howitzer, the battalion companies of the 29th, and a party of the 7th battalion of the 60th. The force arrived at Buck's harbour, about ten miles from Machias, on the evening of the 8th. Its arrival led to the discharge of several alarm guns. It was accordingly held expedient to disembark the troops without delay. The naval force was under the command of captain, afterwards sir Hyde Parker. On landing, information was obtained, that it was only by a pathway through the woods that fort O'Brien could be approached, and taken in reverse. As the guns of this work commanded the passage of the river upon which the town was situated, Pilkington determined to attack during the night.

The force moved forward at ten o'clock, and after a most harassing march arrived in the neighbourhood of the fort only at break of day, although the distance was but five miles.

The advance guard drove in the United States pickets. On pursuing them closely, they found the fort had been evacuated some five minutes before the British entered, the colours being left behind. No prisoners were taken, for the force there present had fled; some 70 men of the 40th infantry and 30 embodied militia. The fort was taken in possession, and an advance was made upon the town of Machias. No resistance was here experienced. The boats with the naval force ascended on the eastern side of the river, and took two field-pieces.

As Pilkington was making the necessary organization to

advance into the country, he received a letter from brigadier Brewer commanding the district, in which he engaged, that the militia force, in the county of Washington, should not bear arms, or in any way serve against his Britannic majesty during the war. As the civil authorities, and the leading citizens of the county, participated in the proposition, a cessation of arms was agreed upon; and for the time the county of Washington came under British authority. It was a most important surrender; the county of Washington embraced 100 miles of sea coast, and formed the territory adjoining New Brunswick. The British without the loss of a man took 20 pieces of ordnance, serviceable and unserviceable, and a quantity of arms and ammunition. The expedition throughout had been perfectly successful.

While Upper Canada during the war suffered the greatest devastation, having experienced the harshest treatment during the efforts of the United States to effect its conquest, Lower Canada had remained free and unmolested. The one quarter which was the scene of hostilities was the frontier on lake Champlain. Indeed, Canada had more frequently been the attacking party on the military stations of the lake. Prevost, however, had never ceased to entertain the belief that a powerful attack would be directed against Montreal. Consequently he had turned a deaf ear to Drummond, when in great straits he had applied for reinforcements. A large force available for the defence of the city was constantly stationed there, and to the last Prevost seems to have believed that its defence was his most imperative consideration. I have given the memorandum written by him on Drummond's* letter, in which he noted that the main attack would not be directed to the Niagara frontier, and that the massing of troops on lake Champlain was not a feint, to prevent reinforcements being sent to the west. Its fatuous character was fully proved by the events which followed.

A proceeding, which called forth a rebuke from the home government, was Prevost's attempt, without instructions, to

* [Ante, p. 457.]

enter into an armistice with the United States, and we may trace from that date an absence of the consideration he had previously received. He endeavoured to sustain his views by addressing Drummond, and Yeo on the subject. He had entered into the negotiations through Winder, then a prisoner at Quebec, who had been taken at Stoney creek. Winder had greatly impressed Harvey. In June, 1813, he had written to Baynes,* "Be cautious of exchanging general Winder, my prisoner. He possesses more talent than all the rest of the Yankee generals put together." It would appear that the idea arose with Winder, and that he obtained authority from Prevost to write to Monroe; for it was on the strength of a letter written by him, that the negotiation was commenced. A copy was sent to Drummond. He strongly opposed the step, on the ground that the United States would gain time for organizing their naval force, and also would take pains to make it appear, that the proposal came from Prevost. He expressed distrust of Winder's assurance of sincerity, as he was one of the most strenuous supporters of the war, and the most plausible of men. The United States would only be desirous of the cessation of hostilities, when the advantages to be derived from the war were not on their side. In Canada they should be cautious in derogating from the high ground that had been taken, and not give the smallest reason for supposing that there was any diffidence in the ability to defend the province. He closed his letter by suggesting a combined attack on Sackett's harbour.†

Yeo was equally emphatic in opposing the proposition. He wrote: "Werē the proposed armistice accepted, it would neither conduce to the credit of his majesty's government, nor to the honour of its arms. It would enable the enemy to gain time to equip ships, give power of augmenting and concentrating his force, and to act with redoubled vigour."‡

* Can. Arch., C. 679.76, 11th June, 1813.

† Can. Arch., C. 683, p. 1. Kingston, 2nd of April, 1814. Drummond to Prevost.

‡ Can. Arch., C. 683, p. 22. Kingston, 13th April, 1814.

Notwithstanding these earnest expostulations of the naval and military commanders, Prevost persevered in his intention. He was finally informed by general Macomb, that an officer would meet the British representative on the 1st of May at Champlain. The proposal was accepted, and adjutant-general Baynes was appointed to the position. His instructions were to the effect, that the armistice should continue until the unequivocal rupture of the negotiations at Guttenburg; thirty days to elapse before hostilities were renewed; all hostilities to cease; the Indians to be included in the armistice; both governments pledging themselves to exercise their influence to cause its observance; Amherstburg and Sandwich to be retained by the United States; Michillimackinac by the British; no reconnaissance to approach within four miles of any military post; no vessel to pass from lake Erie to lake Ontario; Sackett's harbour, Kingston, fort Erie, and Odelltown lake Champlain, to remain unmolested; the restrictions on private travel to be determined by expediency.

The agent appointed by the United States was colonel Pinching: Baynes wrote, that he did not appear acquainted with the views of his government, and that no latitude was left to his discretion. He had been instructed to agree to an armistice, including the Atlantic coast; hostilities to be re-commenced at the pleasure of either party, on 21 days' notice. Baynes sent a copy of his own instructions, on which he was authorized to negotiate, and asked to be similarly supplied. Pinching replied, that Winder was to have been appointed, and the instructions had been sent to him, so he had not received any. An express had brought a packet for Winder, but, as no one had the right to open it, it had been returned to the secretary of state. Pinching expressed himself most desirous that the negotiation might not be broken off, for he believed Winder might yet appear. Baynes, however, saw that no advantage could arise from continuing the conference, and he returned to Montreal. Pinching undertook to submit the matter to his government. Yeo wrote on the

subject to the lords of the admiralty and by them the negotiations were brought to Bathurst's notice. The letters, written on the occasion to Prevost, can only be regarded as a reproof. Bathurst told him, that when reporting the matter, he should have enclosed his correspondence with Yeo. Sir Alexander Cochrane also sent to lord Bathurst the copy of the letters he had received from Prevost. The attempted negotiation met with positive disapproval from the home government. Prevost was plainly told, that he had no authority to conclude an armistice, and it was not supposed that he could have entered into any such agreement, unless subject to the approval of the king. It was the desire of the government to push the war with all vigour, to the moment when peace should be concluded. The proposal for an armistice was contrary to this view, and would leave the United States to act as best suited their interests; this objection would be increased, if the armistice extended to maritime operations. Prevost was accordingly instructed, at once to give notice of the termination of the armistice, with the explanation that he had regarded the agreement as subject to the pleasure of the king. This extreme proceeding, however, was not necessary owing to the part taken by the United States representative.

In July and August, the promised reinforcements, having embarked at Bordeaux, arrived in Canada.* They amounted to 16,000 men, men *aguerris*, in high discipline. It is difficult of belief, that shortly after their arrival Prevost issued a general order reflecting upon their dress. It created great dissatisfaction in all ranks that soldiers, who had fought under the great duke in the Peninsula, and had come to Canada to take part in the war, should receive such a reproof from a general Prevost. The proceeding destroyed all confi-

* They consisted of :

Major-general Brisbane's brigade of the 1st battalions of the 6th and 82nd.

General Kempt's brigade, the 1st battalions of the 9th, 37th, 57th, and 81st.

Major-general Powers' brigade : 1st battalions of the 3rd, 5th, 27th, and 58th.

Major-general Robinson's brigade : 3rd battalion of the 27th and 1st battalions of the 39th, 76th, and 88th.

Can. Arch., C. 684, p. 25. 5th July, 1811, from Horse Guards to Prevost.

dence in his capacity. It was a common feeling, that they had passed from the command of one, who had won belief in his genius, and had led them forward to victory to be under an officer, who in no way deserved their consideration, and under whom they must go into the field, with little faith in his military experience and ability, and without reliance on his good feeling towards them. Plattsburg only too soon proved the truth of this sentiment.*

On the arrival of the troops, Kempt's brigade was sent to Kingston. The remainder were quartered south of the Saint Lawrence at Laprairie, Chambly, and Saint John's, under de Rottenburg. From a passage in Prevost's despatch of the 11th of September it is plain that he received instructions, dated the 3rd of June, to make an attack upon the United States position on lake Champlain; and it was in accordance with this order, that he undertook the expedition to Plattsburg. The land force was to be accompanied by the flotilla from île-aux-Noix.

During the summer the construction of the new frigate, the "Confidence," was pushed on with some vigour, and Yeo as commander of the naval force, was called upon to place in a state of efficiency the ships for service on lake Champlain. Yeo appointed captain Downie of the lake Ontario service to the command. With the first lieutenant of the "Montreal" Downie proceeded to île-aux-Noix to take charge of the

* The following is the general order in question :—

Headquarters, Montreal, 23rd August, 1814.

General Order—The commander of the forces has observed in the dress of the several officers of corps and departments, lately added to this army, from that of Field Marshal the Duke of Wellington, a fanciful variety inconsistent with the rules of the service, and in some instances without comfort or convenience, and to the prejudice of the service, by removing essential distinctions of rank and description of service.

His Excellency deems it expedient to direct that general officers in charge of divisions and brigades do uphold his majesty's commands in that respect, and only admit of such deviations from them, as may be justified by particular causes of service and climate, and even then their uniformity is to be retained.

Commanding officers are held responsible that the established uniform of their corps is strictly observed by the officers under their command.

ED. BAYNES, adj.-gen.

flotilla, viz., of the new frigate the "Confidence," a brig, two sloops and ten gun-boats. The frigate had been launched only on the 25th of August, and a motley crew to man her, numbering 270, had been obtained from several of the ships at Quebec. The period, from the 25th of August to the 10th of September, had been the time allowed to place the masts and rigging, and equip the frigate with guns and ordnance stores. Captain Downie was acquainted with no officer on board; while the officers as a body were generally more or less strangers to each other, and had been brought together for the first time. Had opportunity been given for the introduction of discipline, and the perfection of those nameless minutiae, indispensable in the conduct of a flotilla, the British squadron was of sufficient strength to give a good account of itself, when meeting the United States fleet. The British fleet consisted of the "Confidence," 36; "Linnet," 18; "Chub," 10; "Finch," 10; and 12 gun-boats carrying 16 guns. The United States force was composed of the "Saratoga," 26; brig "Eagle," 20; schooner "Ticonderoga," 17; the cutter "Preble," 7, with gun-boats.

The British flotilla was utterly unprepared for action. The "Confidence" was far from being in an effective condition. A week had not passed, to admit of the discipline of the crew, when the fleet was hurried into action by Prevost, he giving a positive understanding that an attack would be simultaneously made by the land forces.

The British land force consisted of 10,000 men of all ranks, with an excellent train of artillery, under generals of distinction, and admitted capacity; sir George Prevost himself acting as commander-in-chief. The force had been assembled at Chambly, and the advance was made from this point to the frontier. A belief had been entertained in the United States, that the point of attack was Sackett's harbour; consequently a large portion of the force under Izard, who was in command, had been despatched thither. The troops at Plattsburg were placed under the command of major-general Macomb.

On Prevost's advance Macomb abandoned the position which he had taken at the village of Champlain, and it was occupied by Prevost on the 3rd of September. The left division, composed of 7,000 men, the reserve and heavy artillery being left behind, moved forward on the 4th, and on the 5th had arrived within 8 miles of Plattsburg, where it halted. A wing of the de Meuron regiment was left to keep open the communication. Brisbane's column followed the road nearest the lake, and parallel to it; the division of Powers took the Beckmantown road to the west, which, at some little distance in the same direction, passed over high and dry ground; whereas on the more easterly line the ground was low and swampy. Robinson's column marched in support of Powers on the Beckmantown road. Some opposition was experienced from the militia, but they were driven back on the town. The United States troops on the lake, or Dead creek road, made some slight resistance, but in no way to impede the advance. A small force with field-pieces had been stationed at the creek, which was not fordable; but it rapidly retired.

Plattsburg at this time was a small place of about 70 houses, generally on the north side of the Saranac. A bridge over the river had been constructed on the Beckmantown road. When Macomb retreated to the south of the Saranac, he had caused the planks of the bridge to be taken up. On the high land he had constructed three forts and two block-houses. The forts on the maps of the time are described as fort Brown, fort Moreau, and fort Scott, in their order west to east, the last named being on the lake shore. Two block-houses had been built on the south of the small bay into which the Saranac discharges. Had Prevost pushed forward his troops, United States writers agree that Macomb's force could not have escaped capture. Prevost was, however, carried away by the idea, that he must await the co-operation of the fleet. He formed this view from the fact, that the line of defence by Dead creek had been abandoned by the land force, and that the defence had been transferred to the war

vessels which were striving to take the British in flank by long 24-pdrs. and 18-pdr. carronades.

On the 7th, the heavy artillery was brought up and placed in position. It was then observed, that the United States ships had changed their position from that of the preceding day, and had anchored out of reach of the British batteries. The British flotilla had by this time moved up the lake, and Prevost had expressed the determination, that the attack by land and water should be simultaneous. The intention of Prevost was communicated to Downie. At midnight of the 9th, Prevost received a communication from Downie that he was prepared for service, and that he proposed getting under way at midnight with the intention of doubling Cumberland head, at the entrance to Plattsburg bay at daybreak, and of engaging the enemy's squadron if anchored in a position to admit of the attack. The troops were under arms at dawn. As the flotilla did not appear, they were marched back again to quarters. Prevost immediately wrote to Downie, that the land forces had been drawn up for the attack in expectation of his arrival, and he expressed the hope, that it was only the wind that had delayed the approach of the squadron. Downie was known in the navy for his admitted professional capacity, his strict performance of duty, and his high sense of personal honour. It was afterwards said, that the taunt, conveyed in this gratuitously insulting phrase, was acutely felt by him. It was considered that it led him to sacrifice his judgment. No communication is known to have been sent from him after his letter of the 9th.

On the morning of the 11th, though the wind was light it was fair; the troops were under arms at the first light, and at seven o'clock the approach of the "Confidence" was announced by the report of her scaling* her guns, the signal agreed upon. No answer was received to it from the troops. That assurance had been given by Prevost to Downie, that he would co-operate with the naval movements by a land attack, is fully established. Before the action began, the lieutenant,

* The discharge of powder only to cleanse the guns.

Robertson, went round the quarters of the "Confidence," and encouraged the crew, by informing them of the part the troops were to play, as he had been informed by captain Downie.

The "Confidence" rounded Cumberland head in advance of the "Linnet" and "Chub," the gun-boats following. The United States flotilla was in line. It consisted of the ship "Saratoga," 26, the brig "Eagle," 20, the schooner, "Ticonderoga," 17, and the cutter, "Preble," 7. The gun-boats lay protected by the United States batteries. The guns of the entire fleet were turned against the "Confidence." The breeze had become almost a calm. The "Confidence" continued her course without firing a shot. It was Downie's design to lay his ship alongside of the "Saratoga," the largest of the opposing vessels. The light breeze gave an opportunity to the gun-boats and row-galleys to concentrate a heavy fire upon the "Confidence." Two of her anchors were shot away, and she was forced to anchor in a position not so advantageous as she had designed, whence she sprung a heavy fire on the "Saratoga." The "Linnet" and "Chub" in a short time took up their stations a short distance from her. The "Chub," from having her bowsprit, main boom, and cable shot away, became unmanageable, and, drifting within the United States line, was forced to strike her flag. The "Finch," unfortunately entering into action, struck on a reef of rocks at Crab island, and could take no part in the action. No aid was given by the gun-boats. All, except three, took to dastardly flight so soon as the action commenced; they were manned by the militia. The officer in charge, a lieutenant Royat, was sent after the action under arrest to Kingston. He escaped from confinement, and was never again seen; he either deserted, or committed suicide. Downie was killed fifteen minutes after the commencement of firing from the "Confidence." His death was uncommon. A shot struck a 24-pdr. and threw it from the carriage against Downie, who was standing in the rear. He was struck on the right groin and never spoke, although signs of life remained for some few

minutes. No part of his skin was broken; there was a black mark left, about the size of a small plate, where the blow was given. His watch was completely flattened.

Robertson, the lieutenant, now took command of the "Confidence," and Pring in the "Linnet," of the flotilla. The action was continued by these two vessels against the whole United States flotilla. The "Finch" was on the rocks. The "Chub" had drifted into the United States line. The gun-boats had shamefully fled. The "Confidence" had now 17 of her guns disabled, many of them encumbered by the wreck. Owing to the damage she had sustained, she was unable to bring a fresh broadside to bear, and accordingly surrendered. The "Linnet," under captain Pring, was so gallantly fought that she drove her antagonist, the "Eagle," superior in metal and men, to seek shelter between the "Saratoga" and "Ticonderoga." For fifteen minutes after the surrender of the "Confidence" she continued the contest, till finally she had to haul down her colours.

The action lasted without intermission for two hours and twenty minutes. The British loss was 54 killed, and 116 wounded. The "Chub" lost half her complement of men. The United States loss is not given. The statement of 52 killed, and 58 wounded, cannot be accepted as correct. The strength of the crews of the four British vessels engaged in the action was 420; of the United States, 898.

The comparison in other respects shews :

	British.	United States.
Broadside metal in lbs.,	756	1,194
Size in tons,	1,426	2,540

According to Prevost's despatch, the batteries on shore were opened on the commencement of firing upon the lake, and Robinson was ordered to ascend the Saranac to cross at a ford which had been reconnoitred, and, passing through a wood, to carry the works by assault on their reverse side. Robinson, through the mistake of the guide, missed the ford. Brisbane had been ordered to create a diversion in Robinson's favour. While Robinson was countermarching his troops to

reach the ford, he heard shouts of huzza from the United States works. Consequently he halted, and sent to the commander of the forces at headquarters to report the fact, and ask for orders. The orders he received were to return with his column.

The conviction must remain that Prevost hurried Downie into action, unprepared, and against his judgment, having engaged to make a simultaneous attack by land. The naval action lasted two hours and a half, and it was only when the shouts were heard proclaiming that the ships were over-powered, that Robinson was proceeding to the assault. It was Prevost's duty, as the ships were moving into action, to have attacked, in accordance with his declaration, that the land and naval forces should act in union. The British batteries could not have opened as Prevost stated; for had such been the case, as Yeo described the situation, the United States vessels must have left their anchorage, and the gun-boats could not have continued to lay close to the shore, from which position they were so mischievous.

Amid the strong expressions of dissatisfaction, Prevost had his defenders, but opinion ran strongly against him. The indignation and rage of the military found vent in the strongest condemnation of his conduct, still repeated by men of advanced age, as they heard the facts narrated in their homes. According to Christie, his friends endeavoured to vindicate him, by the statement that Downie was not hurried into action, but went there with full confidence in his own success; a statement disproved by his own letters. Further, that the storming of the land batteries would not have aided the fleet, an assertion utterly at variance with the expressed opinion of Yeo.

Prevost's theory seems to have been, that the loss of the naval action gave the United States the means of conveying numerous reinforcements, so that in a few hours the British would be in a critical situation. Orders, therefore, were given by him, for the retreat of the whole force. In the evening, the British fell back upon Chazy without any molestation. On

the 12th the retreat was continued. Such of the ordnance, and commissariat stores as it was possible to move were brought away. The rain, which had been continuous during the advance, had injured a large quantity of them, and the loss was immense. The desertion from the ranks has been mentioned as amounting to 800 men.

Prevost's despatch announcing the ignominious failure of the expedition was dated at Plattsburg, New York, on the day of the naval action, the 11th. It is well known that this document was taken to England by his secretary, Brenton, who only left the "Brandy Pots," below Quebec, on the 9th of October. There was an object in dating the letter from the place named.* Prevost was spared the record of the fact that before reaching the boundary 800 men had deserted. Indeed, the prisoners claimed to have been taken by the United States, were simply deserters. I have had on previous occasions to allude to Prevost's want of straightforwardness in his despatches; on the publication of the despatch in question, much criticism was heard. It is admitted by the United States writers, that, on the 6th, when he reached Plattsburg he would have entered the town almost without resistance, and that had his land attack of the 11th been persevered in, it could not possibly have failed.*

Prevost threw the whole blame on the failure of the naval operations. He wrote: "Scarcely had his majesty's troops forced a passage across the Saranac, and ascended the height on which stand the enemy's works, than I had the extreme mortification to hear the shout of victory from the enemy's works, in consequence of the British flag being lowered on board the "Confidence" and "Linnet," and to see our gun-boats seeking their safety in flight. This unlooked-for event, depriving me of the co-operation of the fleet, without which the further prosecution of the service was become impracticable, I did not hesitate to arrest the course of the troops advancing to the attack, because the most complete success would have been unavailing, and the

* Christie, Vol. II., p. 218.

possession of the enemy's works offered no advantage, to compensate for the loss we must have sustained in acquiring possession of them." *

Prevost failed to state the circumstances under which he had forced Downie into action. But sir George Prevost was not permitted to make his representations unchallenged. Captain Pring, in his report of the action, stated that the proposition of the governor-general was, that "the works at Plattsburg should be stormed by the troops at the same moment that the naval action should commence in the bay." Consequently, every possible exertion was used to accelerate the armament of the new ships. Yeo, in forwarding the letter to the admiralty, foreshadowed the charges he was to bring against Prevost. He stated that he had good reason to believe that Downie was "urged, and even goaded" into action before his ship was in a fit state for service, and that there was not the least necessity for the squadron giving the enemy such decided advantage, by going into the bay to engage them. Even had they been successful, they would not have assisted the troops in storming the batteries; whereas, had the troops stormed the batteries first, it would have obliged the enemy to quit the bay, and have given the British ships a fair chance.

In the naval court-martial held on Pring in August, 1815, the opinion given was, that the capture of the vessels was principally caused by the squadron being urged into battle, previous to its being in a proper state to meet the enemy; by the promised co-operation of the land officers not being carried into effect; and by the pressing letter of the commander-in-chief.

This painful passage in Canadian history can be attributed

* A passage much commented upon at the time shewed positively the despatch was written in Canada, viz.: "As the troops concentrated and approached the line of separation between *this* province and the United States." Another proof of the later date is, that in the first general order, the gun-boats received commendation for effecting their retreat in safety. In the revision of the order there was no mention of them. In the despatch although dated previous to the first general order, the gun-boats are described as "seeking their safety in flight."

only to the incompetence and pusillanimity of Prevost. With troops, who, from numbers and discipline could never have been withstood by the weak forces opposed to him, he required only to have made a resolute attack, to have driven them from the exposed, imperfectly fortified intrenchments. There was not even an attempt at an assault. He foreshadowed failure when there was no prospect of a reverse. His incapacity to command men in action, his lack of moral courage, and his want of power to judge the obligations of military duty, entailed upon British history this disaster and disgrace. If it were necessary that the naval force should co-operate in the expedition, Prevost should have remained within the province line, until the naval commander was prepared for conflict. He was but three days' march from Plattsburg. Had Drummond been in command in place of Prevost, how differently would the operations have been conducted, and how entirely different the chronicle!

Facts, admitted in connection with the action, shew that the United States officers in command never even hoped for victory. Commodore Macdonough was so impressed that the works on shore would be carried, that he did not take possession of the "Confidence" and "Linnet" for a long time after the action had terminated. He was engaged getting out of reach of his own batteries, which he looked forward to being turned against him. In the evening he gave utterance to the expectation, that in the morning he would see the British colours flying from Plattsburg. When Macomb came up at daylight to say that the British had retired the preceding day, leaving the sick and wounded behind, and having destroyed a large quantity of stores and provisions, Macdonough could not credit the fact, and cautioned Macomb against some *ruse de guerre*.

As to Macomb himself, notwithstanding what he wrote in his despatch, it is known that while the British troops were advancing, he was sitting gloomily on a gun, ready to surrender when the first British soldier appeared on the parapet. He had with him but 1,500 inferior troops, Izard having been

ordered by the secretary of war to proceed to the west, after having chosen the most effective regiments to accompany him. He had likewise some 3,000 militia, lately called out. When Prevost arrived before Plattsburg, it was in his power to enter the place almost as a military promenade. Macomb knew well that he had no chance of success from the strength of the force opposed to him, and his weak means of defence. When it was notified to him that the troops had halted and retreated, he would scarcely believe the evidence of his own senses. But the facts did not affect his subsequent conduct; he claimed a victory as due to the prowess of his troops, when it was entirely attributable to the imbecility of the British commander.*

This disgrace to British arms at Plattsburg was the last act of the war in Lower Canada. Whether it had any influence on the conditions of peace which were shortly afterwards entered into, is a difficult point to determine. The event was of great advantage to the United States administration, amid the series of reverses they had suffered on the sea coast. Had the issue been favourable to British America, it certainly would not have militated against any claim the country would have felt itself authorized in advancing for the rectification of the north-east frontier.

* These opinions are strongly expressed in a series of contemporary letters written by "Veritas" in the Montreal *Herald*. The authorship remains unavowed; the writer, indeed, to this day is unknown. It has been stated that Mr. Samuel Sewell, of Quebec, brother of the chief-justice, was responsible for them; on what ground I have failed to learn. The letters were published in pamphlet form, the following year with the title page, "The letters of Veritas, republished from the Montreal *Herald*, containing a succinct narrative of the military administration of sir George Prevost during his command in the Canadas, when it will appear manifest, that the merit of preserving them from conquest belongs not to him." [Montreal, printed by W. Gray, July, 1815.] This writer remarks: "The mischievous moral effect of the Plattsburg business has been, and will be incalculable, both in America and Europe, for that will be heard of in many countries and places, where it will not be known, that the commander alone was to blame, and the army under him indignant on the occasion."

After the action captain Pring, when forwarding his report to sir James

Yeo, sent with it the correspondence which had taken place between Downie and sir George Prevost.

On the 1st of September, Downie had written to captain Upton of the "Junon," asking him to lend him the gun-locks belonging to his ship, for there was no lock to any gun, or carronade on the "Confidence." On the 7th Downie intimated to Prevost (Can. Arch., Q. 129, p. 160) "the moment I can put this ship into a state of action I shall be able to meet them" (the enemy's ships). On the 8th Prevost notified Downie, that it was of the highest importance that the ships should co-operate with the army; he was only waiting for their arrival to commence the attack (Ib., p. 161). On the same day, the 8th, Downie wrote (Ib., p. 162) "In the letter I did myself the honour to address you, I stated to you that this ship is not ready; she is not ready now, and until she is ready it is my duty not to hazard the squadron before an enemy, who will be superior in force." On the 9th [Ib. p. 165] Prevost informed Downie that in consequence of the communication of yesterday's date, he had postponed moving on the enemy. He need not dwell on the evils resulting from delay. He had learned from deserters that the enemy's fleet was insufficiently manned. Downie replied [Ib., p. 165], It was his intention to weigh at midnight expecting to enter the bay at Plattsburg, about dawn of day, adding, "I rely on any assistance you can afford the squadron." On the 10th, Prevost's letter to Downie was to the effect that the troops had been in readiness since six o'clock, to storm the enemy's works at nearly the same moment the naval action should commence in the bay, "I ascribe the disappointment I have experienced to the unfortunate change of wind, and I shall rejoice to learn, that my reasonable expectations have been frustrated by no other cause." It was by this brutal insinuation that Downie was drawn into action.

When the facts came before the attention of Yeo as commanding the naval force in Canadian waters, by the report of Pring, and this correspondence was submitted to him, unhesitatingly, if dates are to guide us, he addressed the following letter to the secretary of the Admiralty.

"H.M.S. "Saint Lawrence," Kingston, 29th September, 1814.

Captain Pring having arrived on his Parole, has handed me the correspondence between His Excellency Sir George Prevost and Captain Downie, previous to the action on lake Champlain, copies of which I have the honour to transmit you here for their Lordships' information.

It appears very evident that captain Downie was urged, and even goaded on to his fate by His Excellency, who appears to have assumed the direction of the naval force.

His Excellency assured captain Downie that the army should attack the enemy's batteries at the same moment that the naval action commenced, and under this persuasion alone did captain Downie go in to attack them. Had His Excellency adhered to his previous arrangement, the enemy's squadron must have quitted their anchorage, particularly their gun-boats, that lay close under the shore and whose heavy metal and cool fire did more execution to our vessels than their ships or brig.

Had His Excellency taken the Batteries even after the action, it must have led to the re-capture of our vessels, if not those of the Enemy, as it is notorious and

a fact that the Enemy's vessels were so cut up and disabled as to be incapable of taking possession of our ship and brig, for upwards of three hours after the action, and as the wind was directly on shore our ships could have run under the works had they been in our possession.

I have, etc.,

JAMES LUCAS YEO,
Commodore and Commander-in-chief."

[Can Arch., Q. 129, p. 157.]

CHAPTER V.

I conceive that it is a duty incumbent upon me, likewise to give some brief narrative of the campaign which took place on the Atlantic coast during 1814, for a history of the war would be incomplete without it. Moreover it has direct relationship to Canada. It must never be lost sight of, that the destruction of the public buildings in Washington was not an act of wanton injury, causelessly inflicted by an enemy in possession. It was an act of retaliation for the injuries which Canada had suffered during the contest, systematically practised to terrorize and subdue. Those who have followed the relation of the events, in which these outrages are recorded, with references in all cases to authorities establishing their truth, must recognize the persistent severity and cruelty inflicted upon the province, whenever opportunity permitted their exercise. The burning of the public buildings at York ; the loss of the library, and seizure of private property ; the aggression on the banks of the Saint Lawrence ; the marauding expeditions without any object but plunder, recognized as legitimate warfare ; the burning of Niagara, so disgraceful that it was repudiated by the secretary of war who had indirectly authorized it; the burning of Long Point ; the destruction of Port Dover ; the seizure of non-combatants and sending them across the line ; the attempt to reduce the country on the Niagara frontier to a wilderness, destroying every house where possible, and in other cases removing doors and windows, to make the places uninhabitable ; all these excesses systematically practised to attain the avowed object of the war, the conquest of British America, awoke a spirit of indignation and anger ; and the settled purpose was formed that they should be retaliated on the territory of the United States, where they could be inflicted, in the same degree as

they had been suffered in Canada. On one hand, it was felt necessary to give a lesson of what war, with the suffering it entails in its reality, actually is; on the other, that the cruel spirit by which it had been conducted in Canada should be checked; if not, by the dictates of humanity, by a sense of the consequences, which would inevitably follow a continuance of the devastating spirit that had prevailed.

On the appeal of sir George Prevost for aid, the admiral, sir Alexander Cochrane, issued a proclamation from Bermuda, in which a system of retaliation was declared to be a part of warfare. It was on this principle that Washington was taken, and its public buildings made to suffer the fate inflicted by the United States on York and Niagara.*

* This proclamation has been published by United States writers in an imperfect form. That this misrepresentation shall not continue without protest I append it entire. [Can. Arch., C. 684, p. 204, *et ult.*]

Proclamation, 18th July, 1814.

By the honourable Sir Alexander Cochrane, C.B.

Whereas, by letters from His Excellency, Lieutenant-general sir George Prevost of the 1st and 2nd of June last, it appears that the American troops in Upper Canada have committed the most wanton and unjustifiable outrages on the unoffending inhabitants, by burning their mills and houses, and by a general Devastation of private property. And whereas, his Excellency has requested that in order to deter the enemy from a repetition of similar outrages I would assist in inflicting measures of retaliation.

You are hereby required and directed to destroy, and lay waste such towns and districts upon the coast as you may find assailable. You will hold strictly in view the conduct of the American army, towards his majesty's unoffending Canadian subjects, (*and you will spare merely the lives of the unarmed inhabitants of the United States*). For only by carrying this retributive justice into the country of our enemy can we hope to make him sensible of the impolicy, as well as the inhumanity of the system he has adopted.

You will take every opportunity of explaining to the people, how much I lament the necessity of following the rigorous example of the commanders of the American forces.

And as these commanders must obviously have acted under instructions from the executive government of the United States, whose intimate and unnatural connection with the government of France has led them to adopt the same system of plunder and devastation, it is therefore to their own government the unfortunate sufferers must look for indemnification, for the loss of property.

And this order is to remain in force until I receive information from sir George Prevost, that the Executive Government of the United States have come under an

I can only briefly allude to the operations which followed, as being but incidentally related to the main subject.

In March, 1814, a flotilla consisting of a cutter, two gun-boats, a galley, and several large brigs, under the command of commodore Barney, sailed from Baltimore. These vessels

obligation to make full remuneration to the injured and unoffending inhabitants of the Canadas, for all the outrages their troops have committed.

Given under my hand at Bermuda, 18th July, 1814.

Signed, ALEX. COCHRANE.

By command of the vice-admiral, Wm. Balhitchel.

Subsequently, by a general order dated the 26th of July the Proclamation was amended. The words I have put in italic and in parenthesis were omitted. The text acted upon must be read without them.

Upon the proclamation being made known, Monroe published an elaborate reply, dated the 7th of September. Its length prevents its publication unabridged. It can be referred to in James' "Military Occurrences of the War of 1812" [pp. 504-506]. The assertions of this letter are best considered by the light of the narrative contained in these pages. It is a document to be answered by facts, not argument. My *r  sum  * must be brief; I will strive that it be fair. After stating that the United States had been compelled to resort to war, it adds, "they resolved to wage it in a manner most consonant to the principles of humanity" and to those friendly relations which it was desirable to preserve between the two nations, after the restoration of peace." No such principle had been acted upon by the British. Monroe instanced the "deplorable cruelties at the River Raisin,"* the devastation of Havre de Grace, and Georgetown, in the spring of 1813. "During the same season," he continued, "scenes of invasion and pillage, carried on under the same authority, were witnessed all along the waters of the Chesapeake, to an extent, inflicting the most serious private distress, and justified the suspicion, that revenge and cupidity, rather than the manly motives that should dictate the hostility of a high-minded foe, should lead to their perpetration." The destruction of the village of Newark was justified on the ground that it became necessary in the military operations. It had been disavowed by the government. The conduct of the officers, who had burned Long Point, had been investigated by a military tribunal. The burning of Saint David's was the work of stragglers; the officer present had been dismissed for not preventing it. On the part of the government he disavowed any such wanton, cruel, and unjustifiable warfare. The government "acting on the principles of sacred and eternal obligations," was ready to disavow, and repair as far as practicable, any such acts committed by its troops. In the desolating warfare threatened, he could only perceive a spirit of deep-rooted hostility. The government was ready to enter into reciprocal arrangements for the reparation of injuries, not sanctioned by the law of nations. Should the British government adhere to the system of devastation, revolting to humanity, it had to be met with a determination and constancy becoming a free people.

* Ante, p. 301.

were armed with a long gun in the bow, and a carronade in the stern, varying according to the size of the boats, from 32-pdrs. to 18-pdrs., the crews ranging from 60 to 40, the total number of which has been estimated at 700. On the 1st of June, this flotilla came in view of the "Saint Lawrence" schooner 13, with a crew of 55 men, and seven boats of the "Albion" and "Dragon," under the command of captain Barrie. The schooner and boats retreated to the "Dragon," a 74 line of battle ship, when she got under way, and with the schooner and boats proceeded in chase. The United States flotilla for protection entered the river Patuxent. From its shallowness, the line of battle ship had to anchor. Captain Barrie, of the "Dragon," by way of inducing commodore Barney to separate his force, detached two boats to cut off a schooner in his sight, but he made no interference to save her, and she was burned before his eyes.

On the 6th, the flotilla retreated higher up the river, Barrie having been joined by the "Loire," 46, and "Jaseur," brig, ascended the river with these two vessels, the "Saint Lawrence," and the boats of the "Albion" and "Dragon." The flotilla proceeded two miles up the tributary Saint Leonard's creek, where it could be navigated by boats only. Unsustained by the larger vessels, they had not the strength to attack a force relatively so overpowering. With a view to induce the flotilla to leave its station, detachments of seamen and marines were landed on both sides of the river, the only effect of which movement was, the retreat of the United States militia to the woods.

On the 15th of June the boats of the "Narcissus" ascended the Patuxent as far as Benedict, and disembarked a force of 80 marines and 30 coloured troops. They drove into the woods, without a struggle, a number of militia, who left behind them their muskets, camp equipage, and a 6-pdr. A store containing tobacco was destroyed.

The force now ascended to Lower Marlborough, a town 28 miles from Washington. A landing was made, when the inhabitants and militia fled into the woods. A schooner was

captured, and loaded with tobacco. From the opposite shore 2,800 hogsheads were taken, and the building, which had contained them, was burned.

Barney's squadron remained blockaded in Saint Leonard's creek, when an order was sent to destroy his vessels. Colonel Wadsworth, however, of the engineers, engaged to drive away the two frigates from the mouth of the creek. He established his battery of two 18-pdrs, behind a ridge, which protected him and his men. On the morning of the 26th of June, a simultaneous attack was made by the gun-boats and the battery. The battery fired hot shot, and could not be assailed by any of the ships, while no force could be landed to storm it. The "Loire" and "Narcissus" were forced to retire. The United States flotilla was thus enabled to leave the creek, and ascend the Patuxent. On the 4th of July, the "Severn," 50, having joined the other vessels, 150 marines were sent up the creek. Two of Barney's barges were found scuttled. They were burned, with several craft which were found there, and a tobacco store was destroyed.

The naval operations were continuously carried on to harass the country, and destroy the public stores in Chesapeake bay, and the Potomac ; a series of events which can find no record in these pages. They, however, kept the whole territory in anxiety and dread. But a more important expedition was to take place, that directed against Washington, which was to effect results as painful as they were unforeseen.

Major-general Ross, with a *corps d'armée*, had sailed from the Gironde on the 2nd of June for Bermuda, with instructions to create a diversion on the coasts of the United States, in favour of the troops in Upper and Lower Canada. At Bermuda, he was to act in conjunction with admiral Cochrane, who would decide on the point of attack, subject to the general's approval. The force consisted of the 4th, 21st, 44th, and 85th regiments, with a detachment of artillery, and sappers and miners. The expedition arrived at Bermuda on the 24th of July, and at once sailed for its destination. The first division reached the Potomac on the 2nd of August, the second on the

17th, the junction being made at the mouth of that river. The fleet ascended Chesapeake bay to the river Patuxent, 20 miles higher up. At the same time, some vessels were sent up the Potomac to bombard fort Washington, on the opposite bank of the river to mount Vernon. Sir James Gordon of the "Sea Horse," 46, was in command, with the "Euryalus," 42, three bombs, a rocket boat and tender. The division was afterwards joined by the "Fairy" brig, 18. The ships did not arrive before the fort until the 27th; after a slight bombardment the garrison retreated, and the fort was taken.

The ships of the squadron ascending the Patuxent reached Benedict, a small town on the right bank, 50 miles south-east of Washington. The troops were disembarked. Admiral Cochrane, with the armed boats and tender of the fleet, proceeded up the river to attack commodore Barney's flotilla, which had sought refuge up the stream. On gaining the reach where they were stationed, they were discovered with the commodore's pennant on the sloop in front, the other fifteen vessels moored in a line aft. The boats pulled rapidly towards them. On approaching the flotilla, the sloop was observed to be on fire. She soon afterwards blew up. Of the 16 gun-boats, 15 similarly exploded, the one in which the fire had not caught became a prize. Thirteen merchant schooners were lying under Barney's protection; such as were not worth bringing away were destroyed. Those that were serviceable were taken to Pig point, a place to the south, and there loaded with tobacco.

Ross's force landed at Benedict on the 19th, and was organized into three brigades, for the march northward. On the 21st they were at Nottingham, on the 23rd at Upper Marlborough, on the western branch of the Patuxent. Ross was here joined by rear-admiral Cochrane, with the third division of sailors and marines, the remainder of the force having been left at Pig point. The men had marched 40 miles in three days during the sultry weather of August, and were now within 16 miles of Washington. The question to be determined was, whether the march should be directed to

the capital, or to Baltimore. Finally it was resolved to proceed to Washington, and at half-past two the column advanced six miles upon the road. About five o'clock they came upon the United States outposts, holding the high ground a mile in their front. The British formed to attack, but the force retired, and the British troops encamped on the spot ; about nine miles from the city, by way of the navy yard bridge over the eastern branch of the Potomac.

The three divisions of the British army numbered under 4,000 men.

The first brigade, under colonel Brooke of the 44th was composed of the 4th and 44th.

The 2nd brigade, commanded by captain Patterson of the 21st, included the 21st, the 2nd battalion of marines, and the ship marines.

The 3rd brigade, under colonel Thornton of the 85th light infantry, was formed of the 85th, the light companies of the 4th, 21st, and 44th.

A company of marine skirmishers, and a detachment of colonial marines, with some royal artillery and seamen and engineers, completed the force.

At daylight of the 24th, Ross abandoned his camp, and advanced northward towards Bladensburg. At this place the road ran north-easterly to Baltimore ; south-westerly it led to Washington, passing over the eastern branch of the Potomac by a short bridge. The direct road to Washington from Ross's position would have been by what was called the Marlboro' road ; but the objection to this line of approach was the long bridge over the easterly branch, in which there was a draw, and, by its removal passage over the river would have become impossible. A strong force had also been assembled to oppose any advance in this direction. The northern route was accordingly followed, on which the crossing of the eastern branch could be easily effected. On arriving at Bladensburg, Ross found himself confronted by the United States troops, drawn up in two lines upon the heights north of the Washington turnpike road, commanding

his advance. These forces numbered between 7,000 and 8,000 men, with 26 guns. President Madison was himself on the ground, in the expectation that his presence would give confidence to the combatants. There was, however, no great resistance. Two pieces of cannon were taken, and 120 prisoners. Owing to the large force of artillery in the field the British loss amounted to three officers, five sergeants, 56 rank and file killed ; total, 64 ; 20 officers, 10 sergeants, 155 rank and file wounded ; total, 185 ; being a grand total of 249 casualties.

The United States loss was slight. The total number has been mentioned at 30. The greatest estimate places it at between 80 and 100. President Madison narrowly escaped being made a prisoner. He had left the battle ground previous to the commencement of the action, and with several of the ministers, by a few minutes only, avoided meeting an escort of some strength which had entered Bladensburg, accompanying admiral Cochrane, general Ross, and their staffs.

A column of 1,000 men of the British force advanced towards Washington, and at eight o'clock in the evening arrived within two miles of the city. The troops were halted and formed, while the admiral with the general rode forward to reconnoitre. As they approached the capitol square, shots were fired from a house, which killed one of the escort, wounded three others, and killed Ross' horse. The house was surrounded and burned, and some prisoners were taken. The capitol, containing the chambers of the senate and the legislative assembly, was similarly dealt with. As the flames burst out, a terrible explosion was heard. The commodore had set fire to the navy yard. The fire destroyed the frigate "Essex" the second, ready to be launched ; the "Argus," corvette, launched on the 29th of January ; the old frigates "New York," rated as a 36, and "Boston," 32, and the frame of a new 74. The dock-yard included a large quantity of ammunition and ordnance, with 194 pieces of cannon, more than half of them long 32, 24 and 18-pdrs. Two extensive

rope-walks filled with rope, were consumed in the flames. Public property to the value of \$7,000,000 was destroyed by the fire.

The fort at Greenleaf point was also destroyed. A serious accident happened on the occasion. Some powder concealed in a well, caught fire and exploded, killing 12, and wounding 30 officers and men of the British force. The president's house was burned. The buildings, containing the treasury, the war offices, and secretary of state's office met the same fate.

The government paper, the *National Intelligencer*, had been edited by a British subject, one Gales. It had attained a bad pre-eminence by the dissemination of falsehood against the British commanders, and its intense virulence against everything British, likewise by endeavouring to create embittered hatred towards Great Britain. It was resolved to make an example of this person, and burn his house. It was, however, pointed out to the admiral, that the adjoining buildings would equally suffer; a consideration, sufficient to prevent the punishment being inflicted in this form. In the morning, however, the types and printing materials were destroyed. Also throughout Washington an immense quantity of stores, and small arms was given over to destruction.

Private property was in every case respected. Some plundering took place in the city, but it was done by the native rabble of the place, who profited by the general distress to commit pillage. No charge can be made, of wrong having been committed by the British soldier on any private individual.

It must always be remembered that this stern treatment, meted out to the United States capital on this occasion, was retaliatory for the past injuries, which had been ruthlessly inflicted on Upper Canada. It may be safely asserted that, the belief had prevailed, that from the trying position of the tremendous contest in which Great Britain was engaged, these acts of violence could in no way be retaliated or requited. The power of Napoleon had conveyed the idea to the United

States officials, that there was no possibility of the exercise of the *lex talionis*, the repayment of like by like.

For two years the United States forces had conducted war on Canada with a spirit of ferocity. They had commenced, without provocation, by burning the houses of legislature at York. A more wanton act than the destruction by fire of Niagara is not to be found in the annals of war. As a measure of military security it was utterly unnecessary, and it had in no way been provoked. It can only be paralleled by the annihilation of Magdeburg in 1631 by Tilly, during the Thirty years' war, or the cruelty of Alva in the Netherlands. It was but just that the people of the United States should experience the calamities they had inflicted. Indeed, the expedition of Ross was conceived with the express design of protecting Canada from further similar devastation. The lesson may have been of painful severity, but its cause must be traced to the cruel treatment practised by the United States generals in Upper Canada.

The British force having accomplished its mission, commenced its retreat. On the evening of the 25th it left Washington and reached Bladensburg. Such of the wounded as were able to sit upon a horse, or travel by vehicle, were sent forward to the ships. Those whom it would be dangerous to move were left at Bladensburg; notably, colonel Thornton, with several officers of the 85th, and some of the 4th. They were left in charge of the agent for British prisoners, then at Washington, with instructions to effect their exchange when sufficiently recovered. The force was preceded by a drove of some 70 cattle. The column marched leisurely, and reached Benedict without molestation on the 29th, and again embarked.

In the meantime Alexandria, on the right bank of the Potomac, some seven miles south of Washington, had been captured by captain sir James Gordon. After he had taken possession of fort Washington, and three minor batteries intended for the defence of Alexandria, and destroyed the guns, a deputation from the city waited upon him to learn

the terms of surrender he would grant. It was agreed that all naval and ordnance stores, public and private, should be given up ; that possession should be taken of all shipping, and the furniture which had been removed, be sent on board without delay ; the vessels, that were sunk, were to be raised, and to be included with the other craft ; all merchandise to be delivered up, including any that had been carried away, and be loaded on the vessels, so that it could be towed to sea. All refreshments supplied to the troops would be paid for at market price, by bills on the British government. The number of vessels thus collected were 21, which the returning squadron carried with them.

Hearing that there was a strong force organized to oppose his return, Gordon sailed away before he had completed the destruction of the stores, that he could not take with him. It need only be said that any attempt at interference was successfully overcome. Gordon on the 5th of September brought his ships and prizes safely away. His loss was seven killed, and 35 wounded.

On the 31st of August sir Peter Parker of the "Menelaus" met his death. He had been ordered to ascend Chesapeake bay above Baltimore, to create a diversion, as if threatening that city, during the time that the expedition ascended the Patuxent. The frigate was anchored off a place known as Moor's fields. Parker, hearing that some militia were encamped in the neighbourhood, landed at 11 o'clock at night, with a force of 104 marines and 20 seamen. He had lately arrived upon the station, and knew nothing of the tactics practised in the woods. Having captured a small cavalry picket, the detachment proceeded against an United States force that had retired between four and five miles. On the advance of the British, it retreated from its position into the woods. A skirmish followed. In the attack Parker received a mortal wound. Finally the British retreated, taking with them the body of their commander, and all their wounded but three. Their loss was 14 killed, and 27 wounded.

The proceedings at Washington had caused great alarm at Baltimore, distant only 35 miles. The inhabitants believed that the British troops would make a flank march in order to attack the rear of the city, while the fleet would bombard it from the Patapsco river. There was every prospect of success in such a movement with a sufficient force ; but from the small number of the British, and the long distance to be sailed by the fleet, it was held that the risk to be encountered was too great. Time was accordingly given for troops to be collected at Baltimore, and fortifications to be constructed there. Works were thrown up, and guns mounted on every spot, against which an attack could be made either by land or water. Within the harbour were the "Java," frigate, and two new sloops of war, some gun-boats and several armed private vessels. Some 16,300 troops had been collected within the fortifications, and the number had been reinforced by the seamen, and marines of the ships of Rodgers, Perry, and Porter from the Potomac, while volunteers were crowding in from Pennsylvania.

The object of the attack was the destruction of the war ships, and the naval stores. The movement, however, was deferred, owing to the anticipation of equinoctial storms. Finally the anchors were weighed, and on the 10th and 11th of September the fleet anchored at the mouth of the Patapsco river. Early on the morning of the 12th, a landing was effected at North point without opposition. The troops present numbered 3,270 rank and file, consisting of the royal and marine artillery, and companies of the 4th, 21st, 44th, and 85th regiments, the 1st and 2nd battalions of marines, and a body of seamen.

An advance was immediately made. About ten o'clock they came upon a United States division, which had been moved forward. The skirmishers sent out retreated, as the British came up. Cockburn and Ross were in front, when Ross said, "I'll return and order up the light companies." Difficult of belief as it appears, Ross returned alone by the road by which the troops had passed. As he was moving forward he

received a musket bullet, which passed through the right arm into his breast. The wound was mortal. Ross lay on the ground uncared for, until the arrival of the light companies, who, on hearing the firing, had hastened forward. Cockburn learned from them the loss the army had sustained. Ross was placed on a bearer, and carried from the field. He knew he was dying, and had little concern for himself, having fallen in the discharge of his duty. His anxiety was for those he had left in his home, whom he commended to the protection of the country.

Colonel Brooke of the 44th now took command. After the British force had advanced two miles, being then five from the city, they saw drawn up before them the United States force, with six pieces of artillery and a body of cavalry. There is the usual difficulty in establishing the force present, but its strength may be stated at between 4,500 and 5,000. The attack upon the body was so rapid and spirited, that in less than 15 minutes they were utterly broken and dispersed, and fled in every direction. The loss of the British on the 12th of September, independently of the death of general Ross, was 1 subaltern, 2 sergeants, 35 rank and file killed ; 7 captains, 4 subalterns, 11 sergeants, 229 rank and file wounded. Total, 39 killed, 251 wounded. The navy lost, 1 petty officer, 3 seamen, 3 marines, killed ; total 7 : 1 officer, 6 petty officers, 22 seamen and 15 marines wounded ; making a total of 46 killed, and 295 wounded.

The United States troops occupied a more sheltered position, and they inflicted the greater loss on the attacking party by the use of buckshot. Their losses were estimated by the British at some hundreds. They were returned by themselves at 20 killed, 90 wounded, and 47 missing, whereas we have Brooke's despatch in which he states "he carried away about 200 prisoners, being persons of the best families of the city."

The British were too fatigued to follow up their victory. They bivouacked on the ground which had been occupied by the United States force. On the morning of the 13th, Brooke advanced to within two miles east of Baltimore, from which

point the elaborate defences of the place were visible. Here, he waited to obtain intelligence from the fleet, to arrange for its co-operation in the storming of the place.

The ships had ascended the Patapsco, and on the morning of the 13th had taken up a position to bombard fort McHenry, and the Star fort. It was however found, that in consequence of the entrance to the harbour being closed by vessels sunk for the purpose, co-operation of the two services would be impracticable. A heavy fall of rain had also increased the difficulty of a land attack. Both commanders were of opinion, keeping in view the instructions they had received, that the advantages to be gained would not be a sufficient equivalent to the loss, that might probably be experienced in storming the place.

At half-past one the morning of the 14th, the British force retired three miles and encamped. On the morning of the 15th it moved to North point, and re-embarked without experiencing molestation. On the 14th the vessels were recalled, their loss being 4 killed, and 24 wounded. During the day they joined the rest of the fleet.

September was approaching its close; sir Alexander Cochrane sailed for Halifax; admiral Cockburn for Bermuda; while admiral Malcolm remained in command. On the 27th, he left the Patuxent for the Potomac, and on the 3rd an expedition with unimportant results ascended the Coan river, when captain Kenah of the "Ætna" bomb, was killed by a musket shot. Shortly afterwards, Malcolm sailed for Jamaica, leaving captain Barrie of the "Dragon," 74, at the Penobscot. Barrie took possession of Tilghman's island, 60 miles from Baltimore, as the depot to organise and receive such refugee slaves, as would join him, and were ready to enter the service. From this place, on the 30th of November, he ascended the river Rappahannock, as high as the town of Tappahannock. His force consisted of 500 seamen and marines. As in other expeditions, the tobacco, considered as a prize by the maritime law of nations, was seized, but the supplies for the ship were paid for. The resistance was unimportant.

In December, Cockburn, in the "Albion," arrived from Bermuda, accompanied by the "Orlando," frigate, and some smaller vessels. Other ships on the station were ordered to accompany him, so that only some frigates and sloops were left in the Chesapeake. On the 10th of January they arrived off the coast of Georgia. An attack was made on the fort at the mouth of the Saint Mary's river, which divides that state from Florida. It surrendered without resistance, with the shipping in the port. The river was ascended, and the "Countess of Harcourt," an East Indiaman that had been taken by a privateer, was brought down, and a gun-boat of excellent structure, the "Scorpion," which had been presented by the town of Saint Mary's to the United States government, was likewise captured.

On the 15th of January admiral Cockburn arrived, and took command. The fort and barracks at point Petre were destroyed, and Cumberland island was taken in possession. On the 22nd of February a boat expedition of 186, officers, seamen and marines, ascended Saint Mary's river, a distance of 120 miles. At this point, a heavy fusillade was opened upon the boats, from both sides of the river, which was at the spot so narrow, that a couple of trees felled and cast across the stream would have completely cut off all retreat. It was accordingly considered advisable not to proceed further, and the boats returned, with a loss of four killed and 25 wounded.

The main object of the expedition in proceeding to the south had been to make a combined attack on Savannah. The ships had looked for the arrival of general Power with an additional force, without which it was considered unadvisable to make the attack. The number of the inhabitants was 7,000, and the troops in the city, including the militia, were 3,500 men. The destination, however, of general Power's force had been changed, and no notification of the fact made to the naval commander. Thus 12 ships of war, including two of 74 guns, and three or four frigates, with some 700 to 800 troops, remained in a state of inactivity, daily looking forward for the promised reinforcements.

In the early part of the year an attack had been made upon the fort at Mobile, of which mention must be made. When Wilkinson, in 1813, was ordered to take possession of Florida, one of his first measures was to construct a battery on the sand point, at the entrance of the bay, which he armed with some cannon. While it possessed no land defences, it closed the entrance to the bay to ordinary vessels. When Jackson was appointed to command the district, he sent a garrison to the place of 160 men of the 2nd regular infantry. There was, at the time, a British force at Pensacola, which consisted of four war sloops—the "Hermes," 22, the "Carron," 20, the "Sophie," 18, and the "Childers," 8. On the morning of the 12th of September, this squadron, captain Percy in command, anchored six miles from the fort, preparatory to an attack on the place. There had been so continuous a tide of success in the naval operations of the British on the Atlantic coast, that failure seemed impossible; but in this case the attack could only end in failure, from the circumstances under which it was made. On the 15th, with much difficulty, owing to the narrowness of the channel, and the numerous shoals that were met, the ships arrived in the neighbourhood of the fort. The "Hermes" finally took up a station within musket shot distance; the other vessels anchored in line, astern. Major Nicholls, with 60 marines and as many Indians, disembarked to the east of the fort, but they in no way influenced the contest. The fire of the "Hermes" was alone effective. The "Carron" and "Childers" had been forced to anchor at so great a distance, that they could take no part in the action; while the timbers of the "Sophie" were so rotten and her equipment so defective, that her carronades turned over at every fire. Before the "Hermes" had fired many broadsides, her cable was cut, and she was carried by the current to turn her head to the fort. In this position she was exposed to a raking fire for fifteen to twenty minutes, when she grounded. As it was impossible to get her off, Percy, taking out the whole of the wounded, set her on fire. He had but one boat left, and it had but three oars. The "Sophie" was the only

other vessel injured. The loss of the "Hermes" was 25 killed and 24 wounded ; of the "Sophie," 6 killed, 16 wounded ; one marine of those landed was killed. The loss in the fort was 4 killed, and 5 wounded. The attempt itself was in every way unwisely conceived, and could not be efficiently carried out, as the results painfully proved ; for while three of the ships were powerless, the "Hermes" really could only play a passive part in the attack. This movement against fort Boyer discovered the hostile design, contemplated against New Orleans. The opinion had been entertained that the conquest of Louisiana would not be difficult. There was a belief that the French and Spanish were disaffected to the general government. Even in the United States, it was believed that an expedition against the place had reasonable prospect of success. Wilkinson, who had been in command of the southern district, had been superseded, and Jackson had been appointed to succeed him.

Although Jackson had been urged to take measures to defend New Orleans, he had formed the view that Pensacola, then held by Spain, under British control, should be made independent of such influence. On the 7th of November he had been joined at Mobile by 3,000 mounted Tennessee militia, under general Coffee. With this force he had entered Pensacola without any opposition. Nicholls, who held the fort at Barancas, 7 miles below, evacuated and destroyed it, first having embarked his troops, and proceeded to the Apalachicola, on the banks of which he established himself. Jackson gave up Pensacola to the Spanish governor, and proceeded to Mobile. He remained there until the 20th of November, when he left for New Orleans, and arrived in the city on the 2nd of December.

It was known that New Orleans would be attacked by a powerful British force. The naval commander, Patterson, sent his five gun-boats to the channels of Mariana and Christina, by which lake Borgne is entered from the gulf of Mexico ; and a fort was constructed at the "Rigolets," the approach to lake Ponchartrain, for it was conceived that it

would be in that direction the British advance would be made.

The British expedition left Jamaica on the 26th of November; the fleet under the command of admiral Cochrane, while the general of the land force was sir Edward Pakenham. He was then 38 years of age, and had served under the duke of Wellington in the peninsular wars, where he had obtained a high reputation. Further, he was connected with the duke, who had married his sister. His staff were men of experience, who had seen service. He took command only on Christmas day, and it was during the succeeding day that the other transports had arrived.

Cochrane, in the "Tonant," on the 8th of December, with his fleet and transports had anchored at the Chandeleur islands, to the south of lake Borgne, on the east of the Louisiana coast. As the "Armide," the "Sea Horse," and "Sophie" were passing through the islands, the position of the gun-boats was discovered by two of them firing on the "Armide." The others were afterwards seen on the lake. It was soon understood that no disembarkation of the troops could take place, until these gun-boats were removed or destroyed. It was also important, if possible, to obtain them in a serviceable condition, that they might be used in the transport of the troops.

On the night of the 12th, 42 launches, armed with 24, 18, and 12-pdr. carronades, with 980 seamen and marines, under captain Lockyer of the "Sophie," left the ships to attack them. The gun-boats attempted to escape, but a change of wind obliged them to anchor off Saint Joseph's island. After a row of 36 hours, the launches came in sight of the gun-boats, which were of the largest dimensions, five in number, each armed with a long 24-pdr., with one exception of a 32-pdr., with four 12-pdr. carronades and four swivels; each with a crew of 45 men. There was also an armed sloop, which was endeavouring to join them, but she was cut off, and captured with little opposition. The gun-boats were moored abreast, with springs on their cables, and boarding nettings

triced up. When within long gun-shot, captain Lockyer ordered the boats to come to grapnel, and the men to get their breakfast. The meal finished, "*exempta fames*," the crew took to their oars. As they approached the gun-boats, they had to pull against a current of three miles an hour, exposed to a destructive fire of round, and grape shot. The boats however, pushed on, and closed. After some minutes' obstinate resistance, the whole of the gun-boats were taken. The loss of the British, however, was 17 killed and 77 wounded.

On the 15th of December, the United States commodore sent from New Orleans a naval doctor and purser with a flag, under pretence of gaining information relative to the prisoners, and to obtain their freedom on parole. The cunning of the proceeding was too transparent; Cochrane plainly told them that their visit was "unseasonable," and that they themselves could not be permitted to return until the attack was decided.

Owing to the means of movement for the troops, only affording transport for half the army, some delay arose into the detail of which I do not feel called upon to enter. It was not until the midnight of the 22nd of December, that the whole force reached the bayou Catalan. The spot was about a mile from a cypress swamp of a mile and a half in width, running parallel to the Mississippi. Between the swamp and the Mississippi was a stretch of land from 1,500 to 1,700 yards wide, with several ditches, intersected by horizontal railings, and planted with sugar canes. A few large houses, with their out offices and negro huts, were to be found on the ground at irregular distances, along which was also the high road to New Orleans.

At noon on the 23rd, the advance pickets arrived at Mr. Villère's house, about six miles from the city, where a company of the 3rd militia was surprised and captured. The British force, commanded by colonel Thornton of the 85th, bivouacked on the high ground of the plantation. It consisted of 760 rank and file of the 4th, 402 of the 85th, 396 of the 95th, 100 of the artillery and sappers and miners, with

two 3-pdrs. and 30 rocketeers, making a total of 1,688 men. Major-general Keane accompanied the column.

Jackson heard of the occupation of the Villère's farm on the afternoon of the 23rd, and he sent out two officers to learn the strength of the invaders. One gave the estimate of from 1,600 to 1,800; the second considered it might be about 2,000. Jackson determined to attack by a land force, while the British would be assailed from the river by the "Carolina" schooner with twelve 12-pdr. caronades, two long guns, and a crew of 90. As she opened her fire, several of the British troops were standing on the levee, watching her movements, believing her to be an unarmed vessel.

Jackson had 5,000 men at his command, and he expected, by surprising the British, he would destroy the detachment. At 5 o'clock he himself marched out with a strong body to engage them. In his report he stated his force to be 1,500. One of his staff has left on record that it numbered 2,130. General Keane, in his despatch, estimated the strength at 5,000 men.

The British were much fatigued by the length of time they had been on duty. They had landed at daylight of the 23rd, and their march had been trying and wearisome through the fields of reed, until they gained the position they held. Most of them were asleep in their bivouac, when the flanking fire from the schooner was opened upon them. The troops were at once placed within the river slope of the bank, and so rapidly was the movement made that one casualty only resulted. The 3-pdrs. were the only guns which had been brought up. Some 12-pdr. rockets were therefore discharged, but, not proving effective, they were not continued.

Jackson's attack was, in the first instance, directed against the advanced front, and right flank pickets. The advance was checked for a time, but, being made with greater force, Thornton moved up in support, the two regiments which had furnished the pickets, the 85th and 95th. The course of the action can be best narrated in the words of the despatch

of major-general Keane:—"On the approach of his regiments to the point of attack, the enemy, favoured by the darkness of the night, concealed themselves under a high fence which separated the fields, and calling to the men as friends, under pretence of being part of our own force, offered to assist them in getting over, which was no sooner accomplished than the 85th found itself in the midst of very superior numbers, who, discovering themselves, called on the regiment immediately to surrender. The answer was an instantaneous attack. A more extraordinary conflict has perhaps never occurred, absolutely hand to hand, both officers and men. It terminated in the repulse of the enemy, with the capture of 30 prisoners. A similar finesse was attempted with the 95th regiment, which met the same treatment."

At this stage in the action, reinforcements reached the British of 230 of the 21st, and 130 of the 93rd, which brought the total number engaged on their side to 2,050. At half-past ten, the United States force was advancing a column against the centre, when Keane formed the 93rd in line to charge with the bayonet. But the United States troops would not meet the movement. They fired a volley and retired. The 21st now appeared on the right flank, and secured it from assault. A last effort was made by the whole force against the light brigade; the advance companies were driven in, but Thornton formed the line for a charge, when the enemy finally retreated. It was now twelve o'clock. The British loss was 5 officers, 7 sergeants, 1 drummer, 33 rank and file, killed; total, 46. Wounded, 12 officers, 10 sergeants, 4 drummers, 141 rank and file; total, 167. Missing, 3 officers, 3 sergeants, 58 rank and file; total, 64. Grand total of all casualties, 277. The loss of the United States is given at 217.

On the morning of the 24th, the United States ship, the "Louisiana," with sixteen long 12-pdrs., and a crew of 130 men, joined the "Carolina" and cannonaded the British troops. All the guns that could be brought up were five 9-pdrs. and 6-pdrs., but they were not in readiness to act until

* James, vol. II., p. 530.

the morning of the 27th. Shortly afterwards the "Carolina" was set on fire, and blew up; upon which the "Louisiana" was towed by her men out of gun-shot.

At this date sir Edward Pakenham arrived, accompanied by major-general Gibbs, and the army was augmented to 5,040 rank and file. A slight frost had improved the roads from the landing-place, and the passage across the swamps became less difficult.

Jackson had formed his line within five miles of the city, at a spot where there was the least possible space between the river and the wood. It was protected in front by an old mill-race, extending from the mill to the cypress swamp. A parapet had been raised to the south to protect the city, and precautions had been taken to prevent the earth falling into the ditch. The bottom was, however, dry, and covered with grass. By cutting the levee, the river filled the ditch to the depth of four feet. Eight different batteries were disposed with judgment along the parapet, mounting twelve guns of different calibre; and the extreme left was flanked by a battery of twenty guns. The parapet, hardly five feet high, by the 8th of January was cannon proof. Its length was about a mile, somewhat more than half of which was in the open, the remainder in the wood that ended with a cypress swamp. In case the troops were driven from the ramparts, Jackson had constructed two other lines in the rear: the one a mile and a third, the second two miles and a quarter distant. On the opposite bank of the river a brick-kiln had been turned into a redoubt, with glacis and parapet, and mounted with two 24-pdrs., which commanded the road and the river.

On the 28th Pakenham made a demonstration driving in the United States outposts. An enfilading fire was opened from the ship which did much execution. Between the 25th and 31st the British loss was 16 killed and 38 wounded. By the evening of the 31st, ten 18-pdrs. and four 24-pdr. carronade were brought up from the ships placed in a battery formed with sugar hogsheads. A thick fog prevailed on the 1st of

January but it cleared away by 8 o'clock and the artillery was directed against the batteries on both sides of the river. The British guns were not effective, and many were rendered unfit for service by the United States fire. On the 2nd and 3rd of January more guns were brought into play, and, a furnace for heating shot having been erected, serious loss was caused in the British ranks. The losses between the 1st and 3rd of January were 32 killed, 44 wounded, and 2 missing, total 78. On the four succeeding days, owing to the imperfect state of the British batteries, the cannonade was wholly on the side of the United States.

Pakenham was made to understand the great strength of Jackson's position. It was not possible for him to approach with lines of fortification. He had not cannon for such attack, and inner defence after defence would have presented itself to be overcome. Moreover, the climate was unhealthy, the ground cold and damp, so a regular siege was out of the question. He determined to deepen a canal in the rear of the British position, so that boats could be ferried over to the right bank of the river, the fort established there be taken by assault, and its guns turned against Jackson's right. The excavation of the canal was a work of severe and continuous labour, but it was completed by the 6th of January, so that boats could be brought up and secured near the river. On its completion the canal held but 18 inches of water, and only with great exertion 50 boats were dragged through it to the Mississippi. Dispositions were made for an assault on the 8th of January. Colonel Thornton was to cross the river, storm the fort, and advance abreast of the city. The total number of the British going into action on both sides of the river was 7,300. Pakenham had divided those ordered to make the attack into two columns, one under general Gibbs, the second led by general Keane.

Owing to the current of the Mississippi, Thornton's boats containing 600 men were carried down the stream, and he was unable to reach at the appointed hour the spot selected for a simultaneous attack to be made from both banks.

Nevertheless, as light came on, Pakenham determined to order the advance, and Gibbs' column moved forward.

On the 6th, the British reinforcements of the 7th and 43rd regiments had arrived. On that day one of the force deserted, carrying the news to Jackson of the completion of the canal, and that on the following day an attack of the works on both sides of the river would be made. Half the United States force passed the night behind the barricade, expecting the morning attack; Pakenham's hope of a surprise was in no way to be realized.

It was the 8th of January. There was perfect silence until the columns came within range of the batteries, when they were met by a tremendous fire of grape and round shot. The regiments still pushed forward to the parapet. When they arrived before it, it was found that neither scaling ladders nor fascines were on the ground. Orders had been given to colonel Mullins of the 44th to have them in readiness. The duty had been entirely neglected. Waiting for these means of further attack, the men were exposed to the most destructive fire. The ladders had been placed in a redoubt 1,200 yards from the enemy's lines; and the 44th had passed the spot, and had neglected to take them in charge. When the column arrived at the front, it was found that the ladders had not been brought. Mullins sent back lieutenant-colonel Debbeig with 300 men to bring them up. As they came forward, owing to the heavy firing to which they were exposed, the men of the 44th began to straggle. Many threw their loads away, and took to their muskets. The whole column was falling into confusion, when Pakenham, ignorant that his orders had been disobeyed, and believing that the unsteadiness of the troops arose from the fire they had to face, rode forward to the head of the column, and was urging them to move onward, when he received a wound and his horse was shot under him. He mounted a second horse, but was immediately killed. Gibbs at the head of his division fell mortally wounded, Keane also was placed *hors de combat*.

It was plain to Lambert, who now assumed command, that

the British could neither advance, nor hold their ground, and he gave an order for a retreat. The British loss was 290 killed, 1,262 wounded, with 484 missing ; total, 2,036.

Thornton had been perfectly successful. He was at his post at midnight, with 1,400 men, but his boats were not sufficient to take the whole number, and he could embark only 600. He had made himself master of the redoubt with little loss, although defended by sixteen guns and 1,700 men. He was preparing to turn the guns of the battery that he had captured in the flank of Jackson's force, when he was notified by an officer sent by Lambert, of the repulse of the main body. Thornton did not accept the view that he should retire; but colonel Dixon, who had been charged by Lambert to examine the place, and report if it were tenable, gave the opinion that it would take more men to hold than Lambert could spare ; so the troops returned to their camp, and the fort was abandoned.

Full acknowledgment must be made of the energy and remarkable ability with which the defence was conducted. They have made for Jackson a great name in history. Detachments were sent out to fell timber to close up every lagoon, or creek, leading from the lakes, by which the boats could pass. The defences of fort Saint Philip, commanding the Mississippi, 40 miles from the entrance to the river, were strengthened, and two batteries were constructed on the opposite bank. Six vessels were ordered by Cochrane to its attack. Two bomb vessels only, the "Thistle" and "Pigmy," could ascend the river. They opened fire, and continued the bombardment from the 10th to the 17th, by the United States accounts, out of range of the artillery of the fort. Seeing that no impression could be made on the defences, they retreated.

The attack by Pakenham, to carry by the bayonet the fortified line, was intended to have been made before daylight. As we consider the duty imposed upon the men, going into action in heavy marching order, with the weight of their knapsacks, and taking into account the failure to bring up the fascines and scaling ladders, so that the men stood help-

less before the barricade exposed to a direct fire from those in front, and to cross-fires in every direction, the failure is not difficult of explanation. Had the attack been made before it was daylight, with the fascines and ladders on the ground, so that a detachment of British could have effected an entry within the barricade, there might have been a different story to tell. Thornton was in occupation of the fort on the opposite bank, and there were boats in number to have cut out the one vessel, the "Louisiana;" but such combinations were not carried out, and hence the disastrous result.

There was no attempt to move against the British in their position after the repulse of the 8th. On the 11th, reinforcements arrived in the shape of the 40th regiment, so general Lambert was still able to bring into the field a powerful army. He represented, however, to the admiral, that no further attempt should be made at present, and he recommended the embarkation of the troops as soon as possible. On the night of the 18th, the retreat took place; the army reached the point where it had disembarked, and remained there without molestation until the 27th, by which time the whole were again placed in the ships.

An absurd story has appeared in several United States histories, but is, I believe, rejected by writers of the modern critical school, that "Booty and beauty" was the parole and countersign. In the first place there was no countersign on this occasion. Again, the character of Pakenham, had there been a countersign, would be an assurance that no such vulgar buffoonery would have disgraced his command. Moreover, such an abuse of language would have challenged the notice of the house of commons, and would have proved the ruin of any one using so offensive an expression. The assertion needs no serious refutation. Those who have repeated the story show their ignorance both of military custom, and social decency in appropriating an old joke of the guard-room, to be found in jest books of the earliest date.

CHAPTER VI.

Although the losses of the British had been serious, the strength of the expedition remained formidable. The fleet continued in its full force, even increased by the five gun-boats taken at lake Borgne; and it was not impossible that the attack might be repeated. Lambert, however, determined to capture fort Bowyer, Mobile. A brigade was accordingly detached, on the 8th of February, to assail it by land, composed of the remaining companies of the 4th, 21st, and 44th, numbering 600 rank and file, with artillery and sappers and miners. The officer in command was lieutenant-colonel Debbeig, of the 44th. The troops landed unopposed; the United States force was not seen until the British had arrived within 1,000 yards of the fort, and then it retired within the fortifications. It was apparent by the reconnaissance, that, on the batteries being established, the fort must soon fall. Ground was broken on the night of the 8th. On the 11th, the batteries, furnished with ammunition to keep up an incessant fire for two days, were prepared to open the attack. Prior to commencing the bombardment, the fort was summoned; a half hour being given for the decision of the commanding officer. At his request the time was prolonged. At three the fort surrendered. The casualties of the British were 13 killed, and 18 wounded. The garrison surrendered as prisoners of war. By the conditions granted, they were to march out with colours flying and drums beating, to ground their arms on the glacis, and be embarked on British ships. The British took possession at three o'clock of the 11th of February. The number who surrendered were, 16 officers, 6 sergeants, 16 drummers, and 327 rank and file. There were twenty women, with their families.

The taking of Mobile was the concluding act of the war on the Atlantic coast. Indeed, the attack on New Orleans of the 8th of January, had taken place after the signature of the treaty of Ghent, on the 24th of December, 1814. This treaty contains eleven articles :

I. All territory taken from either party during the war, all public or private archives, to be restored. The artillery and public property originally captured in forts, or places to remain therein: and any slaves, or other private property, to be delivered to the proper authorities. The islands in Passamaquoddy bay, claimed by both parties, to remain in the possession of those who occupied them, until the title to them was determined.

II. After the ratification of the treaty hostilities to cease; the prizes taken at sea after this date, to be restored under the conditions prescribed.

III. Prisoners on either side to be restored, on paying the debts contracted in captivity. Each party to discharge in specie, the advances made for their sustenance as prisoners, when in captivity.

IV. Commissioners to be appointed for the determination of boundaries.

V. Commissioners to determine the source of the Saint Croix and N.W. angle of Nova Scotia.

VI. Commissioners to determine the mid-line of the Saint Lawrence to lake Superior.

VII. Commissioners to determine the boundary from lake Superior to the north west point of the lake of the Woods.

VIII. Defines powers of the commissioners.

IX. Hostilities to cease with the Indian tribes; all the possessions, rights, and privileges enjoyed by them previously to 1811 to be restored.

X. The efforts of both contracting parties to be continued to promote the entire abolition of the slave trade.

XI. The treaty without alteration to be ratified within four months of its signature.

Signed at Ghent on the 24th of December, 1814, the treaty was ratified at Washington on the 18th of February, 1815.

During the negotiations, several difficulties presented themselves. In August, lord Gambier, Henry Goulburn, and Dr. Adams had attended as commissioners for Great Britain.* They disavowed all desire to obtain additional territory for Great Britain; but the establishment of an additional barrier between the United States and Canada was asked, in the form of territory to be definitely ceded to the Indian tribes. It was also advanced, that the United States should be debarred from keeping armed vessels, or holding military posts, on the lakes. A revision of the boundary between the United States, and Canada and New Brunswick, what is now known as the north east boundary, was also demanded. It was declared that the right of fishing, and curing fish on the shores of British America, guaranteed by the treaty of 1783, had been terminated by the war, and could only be renewed by some equivalent being granted to Canada. The United States commissioners offered, in return for this right, a modified renewal of the free navigation of the Mississippi, which in their view had been terminated also. The offer was however declined.

A numerous party in the United States thought the demands just, and such was the desire for peace, that it was considered that it would be cheaply purchased by their concession. On the other hand, the party in the United States, that entertained no friendly feeling to England, considered the propositions as unwarrantable. The New York legislature voted them to be extravagant and disgraceful. They voted, likewise to furnish a permanent local force of 12,000 men, but with the provision that they were to be "clothed, fed and paid by the federal government." Virginia, always irritated against Great Britain, described them as "arrogant and

* The commissioners on the part of Great Britain were lord Gambier, Henry Goulburn, under-secretary of state, and William Adams, LL.D. On the part of the United States, John Quincy Adams, James A. Bayard, Henry Clay, Jonathan Russell, and Albert Gallatin.

insulting," and also voted troops for which the federal government was to pay. Finally, the claim took the form, of each party retaining the territory on the north east boundary in possession by the treaty of 1783.

The Hartford convention had assembled on the 15th of December, 1814. It was composed of 26 members, and the deliberations were secret. It had its origin in the extreme dissatisfaction felt with the executive, and from a sense that the injury felt by every interest was attributable to the war. An invitation from the assembly of Massachusetts had been issued on the 17th of October. Undoubtedly, the main object was to bring pressure on the government to enter upon conditions of peace, and there were many in New England not unwilling to see the political relations of the union differently constituted. The proceedings caused much excitement, and public opinion was greatly affected by them. There was great caution observed in the report made by the convention, and the wording in no way represented the surging feeling, which had been called forth in New England, of what was styled the usurpation of the general government; and the desire was expressed that New England should control her own resources. The proceedings are a part of United States history and they are alluded to in this place, only owing to the influence they exercised on affirming the public desire for peace.

The peace was known in New York on the Saturday night, the 11th of February. The British sloop of war, the "Favorite," arrived under a flag of truce with two messengers: one on the part of Great Britain, one from the United States commissioners, bearers of the despatch. The tidings caused the greatest exultation. There was no question of terms. The city that night was illuminated, and there was only one expression of feeling; that of joy and satisfaction. Without delay, the glad news was sent by express throughout the country. The news reached Boston the following Monday. In that city the war had been unpopular always. It was held by its leading men to be unrighteous, and it had been unsuc-

cessful. There was the common feeling, that by the determination of peace a weight had been lifted from the social and political life of the nation. The citizens met with mutual unfeigned congratulations. The school boys received a holiday; at every ship in port, flags, with bunting in plenty, were flying. The wharves wore no longer the desolate spectacle of ships rotting from want of employment. The day of enforced idleness to mariners, ship carpenters, and riggers, and all who live by commerce, had passed away; for commerce, as by a harlequin's wand, had been restored to life, animation, and activity. Without delay, arrangements were entered into, to fit the shipping for sea. The whole sea-board of New England was carried away by this sentiment. Indeed it was general throughout the country; for even the politicians at Washington, who had so boastingly sustained the war, could not hide their satisfaction that the struggle was over.

Jackson's success at New Orleans was, however, not forgotten. It was brought forward as a proof of the bravery, and determination of the people. But, after all, it could not conceal the common sentiment of the desperate condition, to which the unnecessary and unjust war had reduced the country.

One cause of dread with the well wishers of the Union, and the truly patriotic, was the painful consciousness that in the crisis preceding the peace, the integrity of the United States had been seriously threatened. New England had given the clearest indications, that it would no longer be influenced and depressed by the recklessness of the western, and southern politicians. The Hartford convention, with its studied moderation, covered the hidden fires of a discontent not to be assuaged with words. The emotion was deeply felt, however outwardly subdued.

There were, as Horace represents,

ignes
Suppositos cineri doloso,

which circumstances might have kindled to a flame, extinguishable only by the most desolating changes.

Not only the re-establishment of commerce, and a return to the old ways of life, but peace removed the threatened danger of civil commotion, and, with it, the dissolution of political association. As the crisis passed away, men began to conceive all the danger that had been escaped.

Amid this sentiment that a serious danger had been passed, on the treaty being laid before the senate, before its contents were known, one Troup congratulated the house of legislature, on the glorious termination of the most glorious war, ever engaged in by any people.

In Lower Canada, intelligence of the ratification of the peace in Washington was received in Montreal on Friday, the 24th of February. The same evening the king's message started for Quebec with the tidings ; it reached there on Monday, the 27th. The peace was publicly proclaimed by a general order of the 1st of March. The *Montreal Gazette* of the 2nd of March, then published weekly, after a lapse of six days, tells us that "the information has not affected the public mind here with any particular sensation of joy." Lower Canada had suffered little by the war. Indeed the plentiful dissemination of money had made business brisk, and prosperity had been generally enjoyed. The port of Quebec was open, and commerce had been removed from fear of all interference, except that the ships might be taken by privateers. Between Montreal and Quebec the Molson steamers had worked wonders. Indeed the communication by the river, in summer, was much as it is at the present day, with the distinction that longer time was required for the journey, and that now it is accomplished with larger and finer vessels.

The whole weight of the contest and its suffering had fallen upon Upper Canada, the struggle having been directed to obtain possession of the Niagara peninsula. Nevertheless I can find no evidence, that there was any strong feeling of gratification that the war was ended. The dominant hope was to see a British fleet all powerful on lake Erie, and the United States garrison driven out of Amherstburg. There is no press to guide us as to the public sentiment of Upper

Canada; and so far as I can learn no private correspondence has been published to throw light upon the question. There is, however, a remarkable letter by the late bishop Strachan,* then archdeacon of York, dated the 30th of January, 1815. It was an answer written to a published letter of Jefferson. It may be accepted as a type of the feeling in Canada, and of the unconquerable spirit of the people. In this view I have reproduced the letter in the appendix. The war, with all the suffering it had caused in Upper Canada, effected great results. With the mass of the population, it increased the sentiment of attachment and devotion to the mother country. "At home," it drew attention to all the great advantages which the province offered for emigration, and for an increased commerce. It established, in spite of assertions to the contrary, made previous to the war, that the country could be defended, and that it had been maintained in its integrity. The colonial office was made to understand, that the province did not contain a population rude, turbulent and dissatisfied, which required coercion, and was incapable of directing its political life, and that for imperial interests, required to be subjected to its narrow incompetent rule. On the contrary it proclaimed that Canada contained an active, loyal, energetic race, with the instincts of the national manhood and courage; in no way degenerate in dignity of feeling, and worthy to live under the flag of the empire.† It took many years to break these traditions of colonial dependence which hung about the offices in London. They have, however, now vanished forever. Canada with her institutions of self government is bound alone to the empire by her sense of duty, her responsibilities, and by the deep sense of the beneficence of its rule. The war first broke the spell which domineered over the fortunes and ener-

* This letter was first published in the Report of the Loyal and Patriotic Society of Upper Canada. Montreal, Lower Canada, 1817. Printed by William Gray.

† "Ce qui constitue une nation, ce n'est pas de parler la même langue ou d'appartenir au même groupe ethnographique, c'est d'avoir fait ensemble de grandes choses dans le passé et de vouloir en faire encore dans l'avenir."

Ernest Renan, "Discours et Conférences." Préface, p. iv.

gies of the province. It taught Canada herself what her position in the empire was. At the time it conveyed to the men of the mother country of statesmanlike minds and enlarged views, that the province was not a source of imperial weakness. It established, that if wisely directed, Canada would become an addition to the dignity, greatness, and strength of the British empire, without in any way presenting the slightest embarrassment in the relationship.

What was the impression on the United States of this war which politicians and wire pullers at Washington had forced the government to declare, and it must never be lost sight of, without the shadow of a grievance against Canada?

All that the war led to was, an agreement to establish the boundaries on a satisfactory basis, and to join in a common effort for the suppression of the slave trade. No comment is called for on the silence observed regarding the operation of the orders in council, for all necessity for comment upon them had passed away ; and it would have been impossible to have determined a principle to meet any similar difficulty in the future. No question was raised concerning impressment, about which so much declamation had been wasted. Indeed, since the abettors of the war indulged in their florid, noisy declamation, the times and circumstances had been changed. Great Britain could no longer be regarded in her dotage. She stood before the world in full power, having passed through a trying war which had tested her strength to the full. If war was to be carried on in the future, the last few months had shewn the United States what war might be. Napoleon, the god of many of the Washington politicians, was at Elba ; in a few months to undertake his campaign of a hundred days, for his star to sink forever at Waterloo, while he was to remain a life prisoner at Saint Helena. All hope of possessing British America had passed away, and its realization had been one of the main influences to engage the war party to force Madison into hostilities.

How Canada passed through the ordeal can be read in the narrative I have endeavoured to give. The struggle had been

severe, arduous, at times desperate. The life of every nation, as that of the individual, is chequered by the dark and bright shades cast upon it by fortune. Few of us can hope to be exempt from periods of gloom and doubt. In the years of the war, Canada passed through the trying ordeal ; but at no period can despondency, or hesitation, in meeting the duty of the hour be traced. It is a passage in our history, to which we, and our children's children, will look for ever with justifiable pride.

The last scene of the war in Upper Canada was the abandonment of fort Erie by the United States troops, held by them since their defeat at Lundy's Lane, an act by which they left Canadian territory. They held nothing of Upper Canada to cede except Amherstburg, of which they had been in possession since the defeat of the gallant Barclay on lake Erie.

Yeo's fleet was supreme on lake Ontario. Had the war continued, lake Eric would have been regained, and, having become a British lake, Amherstburg would then have been held by an United States garrison only for a few hours.

The last act of the war in Lower Canada was Prevost's ignominious retreat from Plattsburg, to this day never mentioned without a sense of shame. I will in the succeeding volume allude to the proceedings to which it led.

Napier, in his history of the Peninsular War, wrote the memorable words : "Thus the war terminated, and with it all remembrance of the veteran's services."* They can be applied to Canada, with the addition that the events of the war of 1812 have not been forgotten in England ; for they have never been known there. Few possess even slight knowledge of the events which took place in these years. There is a dim recollection that the public buildings were burned at Washington, and that we were defeated before

* [Vol. V., p. 656.]

New Orleans with a loss of 2,000 men. United States writers are careful that we shall not forget the naval fights of the "Guerrière," the "Java," and the "Macedonian;" the latter the one frigate carried into an United States port. There may be some memory of the "Shannon" and the "Chesapeake." But the great features of the war in which the men and women of the provinces risked all they had to remain British, a feeling as powerful as ever it was, has obtained little recognition "at home."

The gloomy government of lord Liverpool, and the dreary class legislation of that time, would make no acknowledgment of the triumphs of the British soldier in the peninsula. As Napier put it, all memory of the suffering undergone and the gallantry shewn for their country's cause passed away. The one reward of these men, and it "passeth understanding," was the feeling that they had performed their duty. It remained for queen Victoria to remedy this injustice. Within a few years of her succession, in 1847, she was graciously pleased to direct a medal to be struck in order to commemorate the success of the British army during the wars commencing in 1793, and ending in 1814. The general order conferring this distinction declared that, "it was her majesty's intention that such medal should be conferred upon the loyal Canadian militia and upon the Indian warriors who co-operated with the British troops at Detroit, Châteauguay, and Chrystler's farm."*

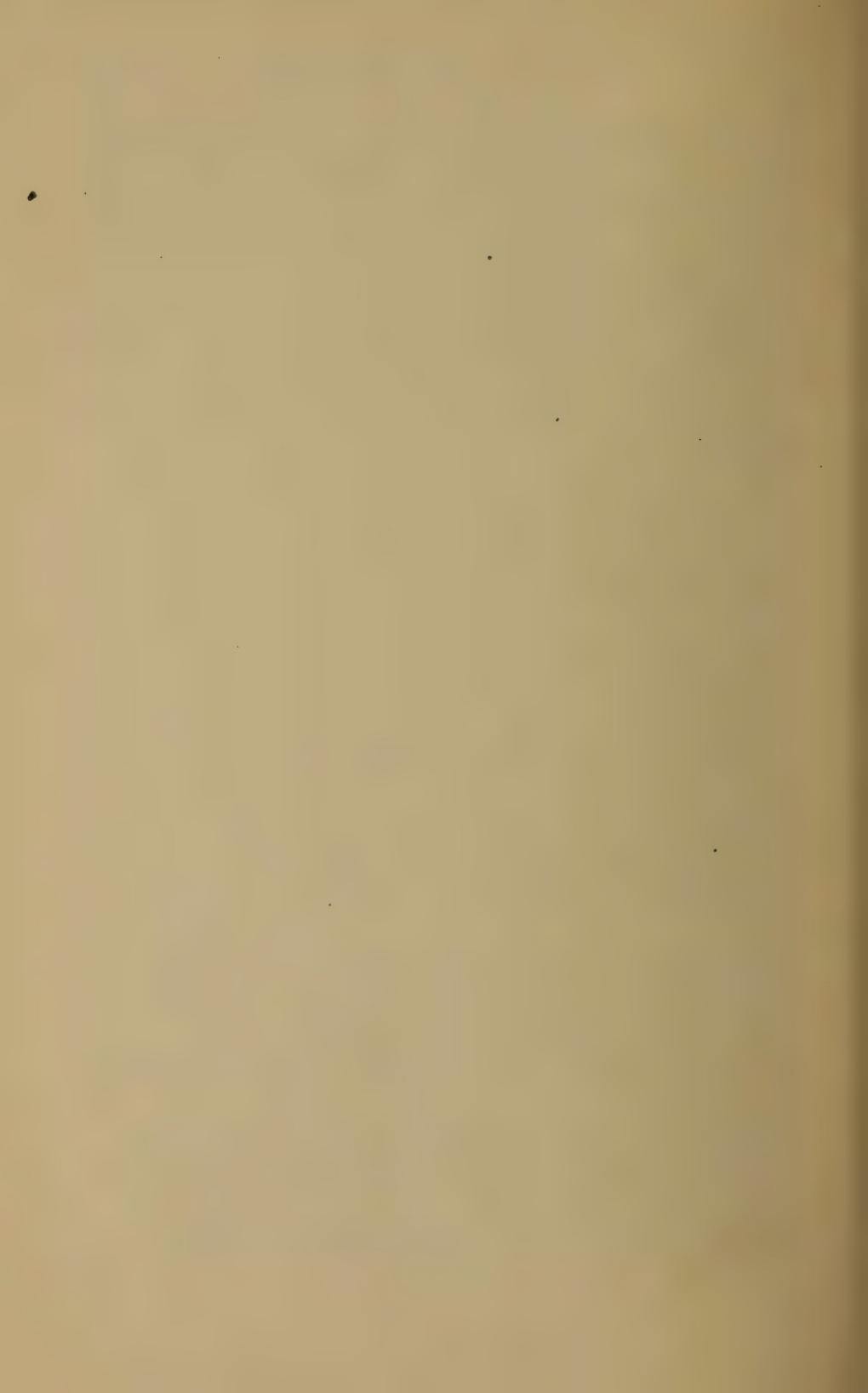
Limited as the memory of these events has continued to be in the mother country, in the dominion it will never pass away. The war was forced upon Canada as a member of the imperial system of Great Britain, without a single act of dereliction on her part, without even any sentiment of active

* *Canada Gazette*, 28th August, 1847, p. 4719: General Order, 25th August. By the above regulation those only who were present in these actions received the medal. The question is often asked, why Lundy's Lane was not mentioned—indeed, why the queen's grant was not made more general—for many of the militia were excluded whose services were in every way worthy of recognition. Was it one of the numerous legacies of the character of the colonial office?

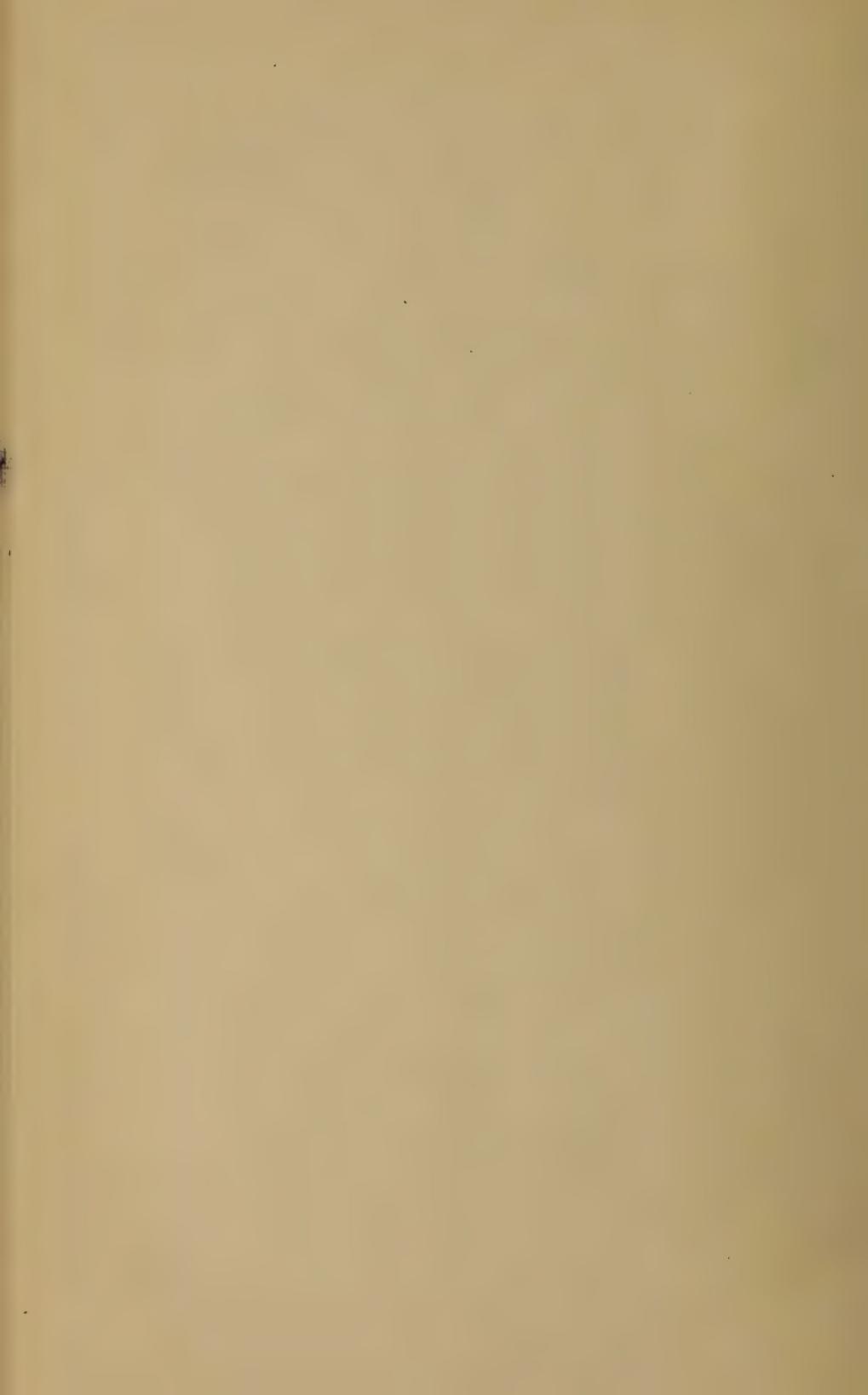
unfriendliness. One of the primary motives was certainly the conquest of the province. Except on the extreme west, at Amherstburg, Canada did not lose an acre of her land. Moreover, she came out of the conquest with unblemished honour, having observed with absolute good faith, every obligation she assumed.

From the conviction of the necessity that we should possess a true and faithful chronicle of what was accomplished at that time, it has been the earnest effort of the humble writer of these pages, to present it with fidelity and honesty.

END OF VOLUME VIII.



APPENDIX.



APPENDIX No. I.

BISHOP STRACHAN'S LETTER, NARRATING HOW THE WAR HAD BEEN CONDUCTED BY THE UNITED STATES.

[Extracted from the Report of the Loyal and Patriotic Society of Upper Canada.
Published, Montreal, Lower Canada, 1817. Printed by William Gray.]

*To THOMAS JEFFERSON, ESQUIRE, of Monticello,
Ex-president of the United States of America.*

Sir,

In your letter to a member of Congress, recently published, respecting the sale of your library,* I perceive that you are angry with the British for the destruction of the public buildings at Washington, and attempt, with your accustomed candour, to compare that transaction to the devastations committed by the Barbarians in the middle ages. As you are not ignorant of the mode of carrying on the war adopted by your friends, you must have known that it was a small retaliation after redress had been refused for burnings and depredations, not only of public but private property, committed by them in Canada; but we are too well acquainted with your hatred to Great Britain to look for truth or candour in any statement of yours where *she* is concerned. It is not for your information, therefore, that I relate in this letter

*MONTICELLO, 21st Sept., 1814.

"DEAR SIR,—....I learn from the newspapers that the vandalism of our enemy has triumphed at Washington over science as well as the arts, by the destruction of the public library, with the noble edifice in which it was deposited. Of this transaction, as that of Copenhagen, the world will entertain but one sentiment.' They will see a nation suddenly withdrawn from a great war, full armed and full handed, taking advantage of another, whom they had recently forced into it—unarmed and unprepared—to indulge themselves in acts of barbarism which do not belong to a civilized age."

those acts of the army of the United States in the Canadas, which provoked the conflagration of the public buildings at Washington, because you are well acquainted with them already; but to show the world that to the United States and not to Great Britain must be charged all the miseries attending a mode of warfare originating with them, and unprecedented in modern times.

A stranger to the history of the last three years, on reading this part of your letter, would naturally suppose that Great Britain, in the pride of power, had taken advantage of the weak and defenceless situation of the United States to wreak her vengeance upon them. But what would be his astonishment when told that the nation, said to be unarmed and unprepared, had provoked and first declared the war, and carried it on offensively for two years, with a ferocity unexampled, before the British had the means of making effectual resistance. War was declared against Great Britain by the United States of America in June, 1812,—Washington was taken in August, 1814. Let us see in what spirit your countrymen carried on the war during this interval.

In July, 1812, General Hull invaded the British province of Upper Canada, and took possession of the town of Sandwich. He threatened (by a proclamation) to exterminate the inhabitants if they made any resistance; he plundered those with whom he had been in habits of intimacy for years before the war—their plate and linen were found in his possession after his *surrender to General Brock*; he marked out the loyal subjects of the King as objects of peculiar resentment, and consigned their property to pillage and conflagration. In Autumn, 1812, some houses and barns were burnt by the American forces near Fort Erie, in Upper Canada.

In April, 1813, the public buildings at York, the capital of Upper Canada, were burnt by the troops of the United States, contrary to the articles of capitulation. They consisted of two elegant halls, with convenient offices, for the accommodation of the legislature and of the courts of justice. The library and all the papers and records belonging to these institutions were consumed at the same time. The church was robbed, and the town library totally pillaged. Commodore Chauncey, who has generally behaved honourably, was so ashamed of this last transaction, that he

endeavoured to collect the books belonging to the public library, and actually sent back two boxes filled with them, but hardly any were complete. Much private property was plundered, and several houses left in a state of ruin. Can you tell me, Sir, the reason why the public buildings and library at Washington should be held more sacred than those at York? A false and ridiculous story is told of a scalp having been found above the Speaker's chair, intended as an ornament.

In June, 1813, Newark came into the possession of your army (after the capture of Fort George), and its inhabitants were repeatedly promised protection to themselves and property, both by General Dearborn and General Boyd. In the midst of these professions, the most respectable of them, although non-combatants, were made prisoners and sent into the United States; the two churches were burnt to the ground; detachments were sent, under the direction of British traitors, to pillage the loyal inhabitants in their neighbourhood, and to carry them away captive; many farm houses were burnt during the summer; and at length, to fill up the measure of iniquity, the whole of the beautiful village of Newark, with so short a previous intimation as to amount to none, was consigned to the flames. The wretched inhabitants had scarcely time to save themselves, much less any of their property. More than four hundred women and children were exposed without shelter on the night of the 10th of December, to the intense cold of a Canadian winter, and great numbers must have perished, had not the flight of your troops, after perpetrating this ferocious act, enabled the inhabitants of the country to come in to their relief.

Your friend Mr. Madison has attempted to justify this cruel deed on the plea that it was necessary for the defence of Fort George. Nothing can be more false. The village was some distance from the fort; and instead of thinking to defend it, General McClure was actually retreating to his own shore when he caused Newark to be burnt. This officer says that he acted in conformity with the orders of his government; the government, finding their justification useless, disavow his conduct. McClure appears to be the fit agent of such a government. He not only complies with his

instructions, but refines upon them by choosing a day of intense frost, giving the inhabitants almost no warning till the fire began, and commencing the conflagration in the night.

In Nov., 1813, the army of your friend General Wilkinson committed great depredations in its progress through the eastern district of Upper Canada, and was proceeding to systematic pillage, when the commander got frightened, and fled to his own shore, on finding the population in that district inveterately hostile.

The history of the two first campaigns proves, beyond dispute, that you had reduced fire and pillage to a regular system. It was hoped that the severe retaliation taken for the burning of Newark, would have put a stop to a practice so repugnant to the manners and habits of a civilized age ; but so far was this from being the case, that the third campaign exhibits equal enormities. General Brown laid waste the country between Chippewa and Fort Erie, burning mills and private houses, and rendering those not consumed by fire, uninhabitable. The pleasant village of St. David was burnt by his army when about to retreat.

On the 15th of May, a detachment of the American army, under Colonel Campbell, landed at Long Point, district of London, Upper Canada, and on that and the following day, pillaged and laid waste as much of the adjacent country as they could reach. They burnt the village of Dover, with the mills, and all the mills, stores, distillery, and dwelling houses in the vicinity, carrying away such property as was portable, and killing the cattle. The property taken and destroyed on this occasion, was estimated at fifty thousand dollars.

On the 16th of August some American troops and Indians from Detroit, surprised the settlement of Port Talbot, where they committed the most atrocious act of violence, leaving upwards of 234 men, women, and children in a state of nakedness and want.

On the 20th of September, a second excursion was made by the garrison of Detroit, spreading fire and pillage through the settlements in the western district of Upper Canada. Twenty-seven families, on this occasion, were reduced to the greatest distress.

. Early in November, General McArthur, with a large body of mounted Kentuckians and Indians, made a rapid

march through the western and part of the London districts, burning all the mills, destroying provisions, and living upon the inhabitants. If there was less private plunder than usual, it was because the invaders had no means of carrying it away.

On our part, Sir, the war has been carried on in the most forbearing manner. During the two first campaigns, we abstained from any acts of retaliation, notwithstanding the great enormities which we have mentioned. It was not till the horrible destruction of Newark, attended with so many acts of atrocity, that we burnt the villages of Lewiston, Buffalo, and Black Rock. At this our commander paused. He pledged himself to proceed no farther, on the condition of your returning to the rules of legitimate warfare. Finding you pursuing the same system this last campaign, instead of destroying the towns and villages within his reach, to which he had conditionally extended his protection, he applied to Admiral Cochrane to make retaliation upon the coast. The Admiral informed Mr. Monroe of the nature of this application, and his determination to comply, unless compensation was made for the private property wantonly destroyed in Upper Canada. No answer was returned for several weeks, during which time Washington was taken. At length a letter, purporting to be answered, arrived, in which the Secretary dwells with much lamentation on the destruction of the public buildings at Washington ; which, notwithstanding the destruction of the same kind of buildings in the capital of Upper Canada, he affects to consider without a parallel in modern times. So little regard has he for truth, that, at the very moment of his speaking of the honour and generosity practised by his government in conducting the war, General McArthur was directed by the President to proceed upon his burning excursion.

Perhaps you will bring forward the report of the Committee appointed by Congress to inquire into British cruelties, and to class them under the heads furnished by Mr. Madison, as an offset for the facts that have been mentioned. The Committee must have found the subject extremely barren, as only one report has seen the light ; but since the articles of accusation are before the public, and have been quoted by the enemies of England as capable of ample proof, let us give them a brief examination :

- 1st. Ill-treatment of American prisoners.
- 2nd. Detention of American prisoners as British subjects, under the pretext of their being born on British territory, or of naturalization.
- 3rd. Detention of sailors as prisoners, because they were in England when war was declared.
- 4th. Forced service of American sailors, pressed on board English men-of-war.
- 5th. Violence of flags of truce.
- 6th. Ransom of American prisoners taken by the savages in the service of England.
- 7th. Pillage and destruction of private property in the bay of Chesapeake, and the neighbouring country.
- 8th. Massacre of American prisoners surrendered to the officers of Great Britain by the savages engaged in its service. Abandoning to the savages the corpses of American prisoners killed by the English, into whose hands they had been surrendered. Pillage and murder of American citizens, who had repaired to the English under the assurance of their protection ; the burning of their houses.
- 9th. Cruelties exercised at Hampton, in Virginia.

1st. Ill-treatment of American prisoners.

General Brock sent all the militia taken at Detroit home on their parole, accompanied by a guard to protect them from the Indians, detaining only the regulars, whom he sent to Quebec, where they met with the most liberal treatment, as the honest among them have frequently confessed. General Sheaffe acted in the same manner after the battle of Queenston, keeping the regulars, and dismissing the militia on their parole. Nor was this liberal course departed from, till the gross misconduct of the American government, in liberating, without exchange, those so sent home, and in carrying away non-combatants, and seizing the whole inhabitants of the districts which they invaded, rendered it absolutely necessary.

When they were not able to take all the armed inhabitants away, they made those they left sign a parole—a conduct never known in the annals of war—the conditions of which not only precluded

them from afterwards bearing arms, but from giving, in any manner, their services to government. The farmers were dragged out of their houses, and carried into the States. Clergymen were forced to give their parole; in fine, it appeared to make no difference whether a man was in arms or not,—he was sure to experience the same treatment.

Many people, when prisoners, have been treated in the most infamous manner. Officers, though sick and wounded, have been forced to march on foot through the country; while American officers taken by us, were conveyed in boats or carriages to the place of destination.

Our captured troops have been marched, as spectacles, through the towns, although you affect to complain of Hull's and other prisoners being marched publicly into Montreal. The officers of the 41st Regiment were confined in the penitentiary, at Kentucky, among felons of the most infamous description. They were treated with harshness, often with cruelty; and persons who wished to be kind to them were insulted by the populace.

Even the stipulations respecting prisoners, agreed to by the American government, have been most shamefully broken. Sir George Prevost and Mr. Madison agreed that all prisoners taken before the 15th day of April, 1814, should be exchanged on or before the 15th day of May last, to be conveyed into their respective countries by the nearest routes. On that day the Governor-in-Chief, faithful to his engagements, sent home every American prisoner; but the government of the United States seemed for a long time to have totally forgotten the stipulation. A few prisoners were sent back in June, but many of the officers and all the soldiers of the 41st Regiment were detained till towards the end of October. To the soldiers of this regiment (as indeed to all others) every temptation had been presented, to induce them to desert and enlist in their service, by money, land, &c. After it was found impossible to persuade any number of them to do so, the American government encamped them, for nearly two months, in a pestilential marsh near Sandusky, without any covering. There, having neither shelter nor the necessary quantity of provisions, they all got sick, many died; and, in October, the

remainder were sent to Long Point, sick, naked and miserable. From this place they could not be conveyed, till clothes had been sent to cover their nakedness. Great numbers sunk under their calamities, and the utmost care and attention were required to save any of them alive. Such an accumulation of cruelty was never exhibited before.

The government of the United States assumed the prerogative of relieving officers from parole, without exchanging them ; and even Commodore Rodgers took twelve seamen out of a cartel, as it was proceeding to Boston Bay, and was justified for this outrage by his government.

2nd. Detention of American prisoners as British subjects.

It is notorious that a great many of the American army have been British subjects since the commencement of the war ; and, had we determined to punish these traitors with death, if found invading our territories, and, after giving them warning, acted up to such a determination, it would have been strictly right ; and in such case very few would have entered Canada. While these persons act merely as militia, defending their adopted country against invasion, some lenity might be shown them ; but when they march into the British Provinces for the sake of conquest, they ought to be considered traitors to their king and country, and treated accordingly.

3rd. Detention of sailors as prisoners, because they were in England when war was declared.

This accusation is ridiculous, as sailors are always considered in the first class of combatants ; but it comes with an ill grace from those who have detained peaceable British subjects, engaged in civil life, and banished, fifteen miles from the coast, those of them who happened to be in America at the declaration of war, and treated them, almost in every respect, like prisoners of war, according to Bonaparte's example.

4th. Forced service of American sailors, pressed on board of English men-of-war.

This accusation has been often made, but never coupled with the offer of Mr. Forster, to discharge every American so detained, on being furnished with the list. The list was never furnished.

5th. Violence of flags of truce.

This accusation of Mr. Madison contains about as much truth as those that have been already examined. We shall give two examples of the treatment experienced by the bearers of flags of truce from the British army.

Major Fulton, aide-de-camp to General Sir George Prevost, was stopped by Major Forsyth, of the United States army, at the outposts, who insulted him most grossly, endeavoured to seize his dispatches, and threatened to put him to death. So much ashamed were Forsyth's superiors at this outrage, that he was sent for a short time to the rear.

General Proctor sent Lieut. Le Breton to General Harrison, after the battle of Moravian Town, to ascertain our loss of officers and men ; but, instead of sending him back, General Harrison detained him many weeks, took him round the lake, and, after all, did not furnish him with the required information, which had been otherwise procured in the meantime.

6th. Ransom of American prisoners, taken by the savages in the service of England.

Some nations of the natives were at war with the Americans, long before hostilities commenced against England ; many others not. When attempts were made to conquer the Canadas, the Indians beyond our territories, part by choice and part by solicitation, came and joined us as allies ; while those within the Provinces had as great an interest in defending them, as the other proprietors of the soil. To mitigate as much as possible the horrors of war, it was expressly and repeatedly told the Indians that scalping the dead, and killing prisoners or unresisting enemies, were practices extremely repugnant to our feelings, and no presents would be given them but for prisoners. This, therefore, instead of becoming an article of accusation, ought to have excited their gratitude ; for the presence and authority of a British force uniformly tended to secure the lives of all who were defenceless, and all who surrendered. It almost without exception saved the lives of our enemies ; yet the American government brands us as worse than savages, for fighting by the side of Indians, and at first threatened our extermination if we did so, although they employed

all the Indians they could. Many individuals have acknowledged their obligation to us for having been saved by the benevolent and humane exertions of our officers and troops; but no officer of rank ever had the justice to make a public acknowledgment. The eighth accusation is much the same as this, and must have been separated in order to multiply the number of articles. It is notorious that some British soldiers have been killed by the Indians, protecting their prisoners. This was the case at General Winchester's defeat, and at General Clay's. The grossest exaggerations have been published. General Winchester was declared in all the American papers to have been scalped, and mangled in the most horrid manner, when he was in his quarters at Quebec. In a General Order, dated Kingston, 26th July, 1813, among other things respecting Indians, it is said, that the head-money for the prisoners of war brought in by the Indian warriors, is to be immediately paid by the Commissariat, upon the certificate of the general officer commanding the division with which they are acting at the time. Let us now see how the poor Indians are treated by the Americans, after promising that they have done their utmost to employ as many Indians as possible against us. It is a fact that the first scalp taken this war was by the Americans, at the river Canard, between Sandwich and Amherstburgh. At this place an Indian was killed, by the advance of General Hull's army, and immediately scalped.*

At the skirmish of Brownston, several Indians fell, and were scalped by the American troops.

The Kentuckians were commonly armed with a tomahawk and long scalping-knife; and burned Indians as a pastime.

At the river Au Raisin, Captain Caldwell, of the Indian department, saved an American officer from the Indians, and, as he was leading him off, the ungrateful monster stabbed him in the neck, on which he was killed by Capt. Caldwell's friends.

The American troops, under General Winchester, killed an Indian in a skirmish near the river Au Raisin, on the 18th January, 1813, and tore him literally to pieces, which so exasperated the

* An Indian never scalps his enemy until after he is dead, and does so to preserve a proof or token of his victory.

Indians, that they refused burial to the Americans killed on the 22nd. The Indian hero, Tecumseh, after being killed, was literally flayed in part by the Americans, and his skin carried off as a trophy.

Twenty Indian women and children, of the Kickapoo nation, were inhumanly put to death by the Americans a short time ago, near Prairie, on the Illinois River, after driving their husbands into a morass, where they perished with cold and hunger. Indian towns were burnt as an amusement, or common-place practice. All this, however, is nothing, compared to the recent massacre of the Creeks. General Coffee, in his letter to General Jackson, dated 4th November, 1813, informs him that he surrounded the Indian towns at Tullushatches, in the night, with nine hundred men ; that, about an hour after sunrise, he was discovered by the enemy, who endeavoured, though taken by surprise, to make some resistance. In a few minutes the last warrior of them was killed. He mentioned the number of warriors seen dead to be 186, and supposes as many among the weeds as would make them up to two hundred. He confesses that some of the women and children were killed, owing to the warriors mixing with their families. He mentions taking only eighty-four prisoners of women and children. Now, it is evident that, in a village containing two hundred warriors, there must have been nearly as many women and men, perhaps more ; and, unquestionably, the number of children exceeded the men and women together. What, then, became of all these ? Neither does General Coffee mention the old men. Such things speak for themselves. The poor Indians fought, it appears, with bows and arrows, and were able only to kill five Americans. Their situation was too remote for them to receive assistance from the British. Their lands were wanted, and they must be exterminated. Since this period, the greater part of the nation has been massacred by General Jackson, who destroyed them wantonly, in cold blood. There was no resistance, if we except individual ebullition of despair, when it was found that there was no mercy. Jackson mentions, exultingly, that the morning after he had destroyed a whole village, sixteen Indians were discovered hid under the bank of the river, who were dragged out and murdered. Upon these inhuman exploits, President Madison

only remarks to Congress, that the Creeks had received a salutary chastisement, which would make a lasting impression upon their fears. The cruelties exercised against these wretched nations are without a parallel, except the coldness and apathy with which they are glossed over by the President. Such is the conduct of the humane government of the United States, which is incessantly employed, as they pretend, in civilizing the Indians. But it is time to finish this horrid detail. We shall, therefore, conclude with a short extract from a letter of the Spanish Governor to East Florida, Benigno Garzia, to Mr. Mitchell, Governor of the State of Georgia, to show that the policy of the government of the United States, in regard to the Indians, is now generally known :

"The Province of East Florida may be invaded in time of profound peace, the planters ruined, and the population of the capital starved, and, according to your doctrine, all is fair ; they are a set of outlaws if they resist. The Indians are to be insulted, threatened, and driven from their lands ; if they resist, nothing less than extermination is to be their fate."

7th and 9th.—Pillage and destruction of private property, in the Bay of Chesapeake and the neighbouring country, and cruelties exercised at Hampton, in Virginia.

It requires astonishing effrontery to make these articles of accusation, after the depredations and cruelties committed by the army of the United States in the Canadas.

In the attack upon Craney Island, some boats in the service of Great Britain ran aground. In this situation they made signals of surrender ; but the Americans continued to fire upon them from the shore. Many of them jumped into the water, and swam towards land ; but they were shot as they approached, without mercy. A few days after, Hampton was taken, and some depredations were committed by the foreign troops who had seen some of their comrades so cruelly massacred : but before any material damage was done, they were remanded on board. Several letters from Hampton mention the behaviour of the British, while there, as highly meritorious, and contradict the vile calumnies of the Democratic print, which Mr. Madison copies in his message to Congress.

This brief account of the conduct of your government and army, since the commencement of hostilities, (which might have been greatly extended), will fill the world with astonishment at the forbearance of Great Britain, in suffering so many enormities, and such a determined departure from the laws of civilized warfare, to pass so long without signal punishment.

Before finishing this letter, permit me, Sir, to remark, that the destruction of the public buildings at Washington entitled the British to your gratitude and praise, by affording you a noble opportunity of proving your devotion to your country. In former times, when you spoke of the magnitude of your services, and the fervour of your patriotism, your political enemies were apt to mention your elevated situation, and the greatness of your salary. But, by presenting your library a free-will offering to the nation, at this moment of uncommon pressure, when the Treasury is empty, and every help to the acquisition of knowledge is so very necessary to keep the government from sinking, you would have astonished the world with one solitary action in your political life worthy of commendation.

Nor are your obligations to the British army unimportant, though you have not aspired to generous praise. An opportunity has been given you of disposing of a library at your own price, which, if sold volume by volume, would have fetched nothing. You have, no doubt, seen that old libraries do not sell well after the death of the proprietors ; and, with a lively attention to your own interests, you take advantage of the times.

I am, Sir,

With due consideration, &c.,

(Signed,) JOHN STRACHAN, D.D.,
Treasurer of the Loyal and Patriotic
Society of Upper Canada.

YORK, 30th January, 1815.

SYNOPTICAL DETAIL OF THE IMPORTANT EVENTS OF THE
WAR OF 1812 AS THEY OCCURRED IN CANADA,
CHRONOLOGICALLY RECITED.

1812.

- July 3rd. Lieutenant Rolette, in the "Hunter," on the Detroit river, captured the "Cayuga," with baggage and hospital stores.
- 12th. General Hull invaded Canada from Detroit, and issued proclamation.
- 15th. Colonel Cass attempted to take possession of stream, river aux Canards, north of Amherstburg.
- 17th. Attack and capture of Michillimackinac by captain Roberts.
- 24th. Bridge defended by privates Dean and Hancock, the last named killed.
- Aug. 5th. Major Van Horne's detachment defeated near Brownstown, 18 miles south of Detroit. His force, with much loss, pursued for seven miles by Tecumseh.
- 7th. Lieutenant Rolette captured 11 *bateaux* on their way from Maguaga to Detroit.
- 8th. Brock, with reinforcements in open boats, left Long point, lake Erie for Amherstburg, arrived the 13th.
- 8th. Hull recrossed river to Detroit, abandoning the position taken by him in Canada.
- 9th. Affair at Maguaga, 14 miles south of Detroit, major Muir, of 41st, sent to intercept convoy; outnumbered, he ordered retreat to boats.
- 16th. Surrender of Detroit by general Hull to Brock, with 2,500 United States troops; the brig "Adams," 33 pieces of cannon, 2,500 stand of arms, the military chest, and a large quantity of stores. The territory of Michigan surrendered to the British.
- Sept. 21st. Midnight raid upon the saw mill at Gananoque. Mrs. Stone wounded in her bed.
- ✓? Major Muir's expedition against fort Wayne, in Ohio. Learning that the place was too strongly garrisoned to be attacked, retreated, unmolested.
- Oct. 9th. Brigs "Detroit" and "Caledonia" cut out under the guns of fort Erie, by lieutenant Elliot and party, United States navy.
- 13th. Attack of Queenston heights, by general Van Rensselaer. Defeat of the United States force, with great loss of killed and prisoners. Death of Brock.
- 23rd. Attack of small picket of the Indian post of Saint Regis. Interpreter's flag taken; described as the "first colours taken during the war."
- Nov. 20th. Unsuccessful attack by Dearborn on the advance pickets at Odelltown, near the Richelieu, Lower Canada.
- 23rd. Attack of United States post on Salmon river, Lower Canada, surrendered.
- 28th. General Smyth's attack on the Upper Niagara river, on Canadian territory, opposite Black Rock. Expedition failed.

1813.

- ✓ Jan. 18th. Attack on British picket at Frenchtown, river Raisins, in force under colonel Lewis.
- ✓ 21st. Attack and defeat of general Winchester's force, by Procter, at this spot.
- Feb. 6th. Raid on Elizabethtown, (Brockville) ; 52 non-combatants carried away prisoners.
- ✓ 23rd. Attack of Ogdensburg, by major M'Donnell, the British having crossed from Prescott on the ice ; 11 cannon taken, with a large quantity of stores, 4 officers, 70 rank and file prisoners. The barracks, with 2 armed schooners, and 2 large gun-boats, burned.
- ✓ April 27th. York (Toronto) taken by United States troops. All the public buildings burned. Much private property plundered. Public property seized.
- May ✓ 1st. Procter opens fire against fort Meigs on the Maumee. Abandons operations. Arrives at Amherstburg on the 13th.
- ✓ 27th. Attack and capture by United States troops of fort George, river Niagara. Vincent retreats to Burlington heights.
- ✓ 29th. Unsuccessful attack of Sackett's harbour, lake Ontario, by British ; sir George Prevost in command.
- June 3rd. Capture of gun-boats "Growler" and "Eagle" on lake Champlain.
- 5th. Attack on the United States camp, Stoney creek, 7 miles east of Burlington heights, under Harvey. Its perfect success. The two brigadiers, Chandler and Winder, taken prisoners.
- 8th. Capture of boats and stores on lake Ontario, after Stoney creek.
- 24th. Surrender at Beaver dams of colonel Boerstler and the United States force to lieut. FitzGibbon.
- July 4th. Colonel Clarke's successful attack on fort Schlosser.
- 11th. Successful attack on Black Rock. Death of lieut.-colonel Bisshopp.
- 17th. Fifteen *bateaux* and small gun-boats taken by United States vessels from Sackett's harbour.
- 20th. Failure of attempt to retake the fifteen *bateaux* at upper part of Goose creek, by three gun-boats and a land force.
- (towards end.) Procter ascends Maumee against fort Meigs, and abandons expedition.
- 31st. Second capture of York (Toronto) by United States troops.
- 31st. Destruction of public buildings and stores at Plattsburg, lake Champlain.
- 31st. Naval action, "Hamilton" and "Scourge" taken.
- Aug. 2nd. Vessels destroyed by British before Burlington, lake Champlain.
- ✓ 3rd. Failure of Procter's attack against fort at Sandusky.
- 3rd. Destruction of barracks at Champlain.
- 20th. Prevost's reconnaissance of fort George from Saint David's.
- Sept. 10th. Defeat of the British flotilla on lake Erie, under Barclay, by the United States fleet under Perry.
- 11th. Naval action near Niagara.

- Sept. 22nd. Hampton attempts to enter Lower Canada by Odelltown, and retires.
 24th. Procter abandons Amherstburg.
 28th. Naval action, lake Ontario.
- Oct. 5th. Procter defeated by Harrison on the Thames, two miles west of Moraviantown. Death of Tecumseh.
 ? Prevost orders abandonment of Burlington heights. The order not obeyed.
 ? Colonel Bostwick captures 18 marauding traitors near Port Dover.
 10th. British gun-boats, with force, land at Hamilton, New York, on the Saint Lawrence.
 26th. Action at Châteauguay. British force, under de Salaberry, repulses Hampton with force not less than 6,000 men.
- Nov. 11th. Battle of Chrystler's. United States force, under general Boyd, defeated by Morrison.
- Dec. 10th. General McClure, N.Y. militia, burns Newark (Niagara).
 10th. Fort George evacuated by McClure.
 15th. Arrival of sir Gordon Drummond at Saint David's.
 19th. The United States fort, Niagara, stormed by the British, and held to the close of the war.
 19th. Lewiston, Youngstown, Manchester, Indian Tuscarora, burned : fort Schlosser destroyed in retaliation for burning of Niagara.
 31st. Attack on Black Rock ; public buildings burned ; Buffalo burned.
 ? Defeat by Medcalf, of marauding party under lieutenant Larned, at Chatham.

1814.

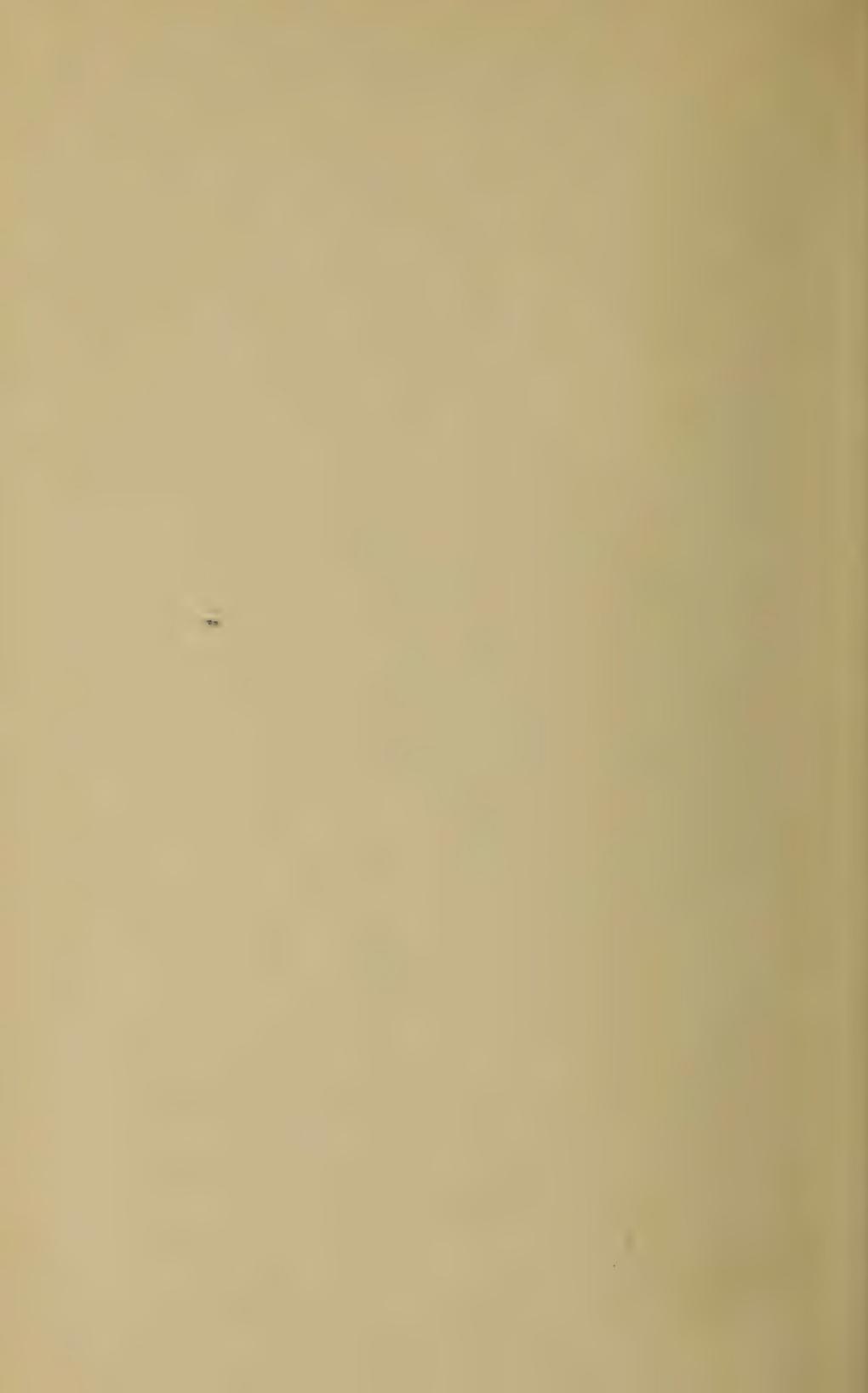
- March 4th. Attack of United States foraging parties from Detroit, at Longwood, under captain Basden, repulsed.
 30th. Failure of attack by Wilkinson, on Lacolle mill, Lower Canada.
- April 22nd. Expedition for relief of Michillimackinac, under colonel McDouall, arrives 10th of May.
- May 5th. Capture of Oswego, by expedition under sir Gordon Drummond.
 9th. Pring's naval attack of Otter creek, lake Champlain.
 15th. Port Dover burned by colonel Campbell, of the U.S. 11th Regiment, on his own authority.
 31st. Attack by British gun-boats on the *bateaux* in Sandy creek ; defeat of detachment and surrender of 120 seamen and marines, with captains Popham and Spilsbury.
- June 23rd. Capture of Prairie-des-Chiens, on the Mississippi.
- July 3rd. United States force, under general Brown, crosses to Canada from Buffalo.
 3rd. Fort Erie surrendered to United States force.
 5th. Action at Street's creek. British commanded by Riall. They retreat unmolested after loss of 511 killed and wounded. Brown advances to Queenston.
 12th. Skirmish. General Swift U.S. force killed.
 19th. Skirmish at Saint David's. Village burned by U.S. troops.

- July 20th. Eight Canadian traitors hanged at Ancaster, seven reserved for royal pleasure.
20th. Brown advances to Chippewa.
20th. Attack and plundering of Sault Saint Mary, United States force.
24th. Sir Gordon Drummond arrives at Niagara.
25th. Marches to Queenston and Lewiston.
25th. Battle of Lundy's Lane; defeat of United States force, and their retreat to fort Erie.
26th. Ripley fortifies fort Erie.
- Aug. 3rd. Attack of magazines at Black Rock and Schojeoquady creek.
Failure and retreat of British force.
4th. Attack of Michillimackinac by United States expedition. Failure and retreat of force.
6th. Raid on Port Talbot by United States force; place burned.
12th. Capture of the "Ohio" and "Somers" at fort Erie, by capt. Dobbs.
15th. Storming of fort Erie. Failure of attack.
? Schooner "Nancy" attacked at Nottawasaga; blown up by Worsley.
- Sept. 3rd. Capture of United States armed vessels "Tigress" and "Scorpion," on upper lake Huron.
11th. Downie's fleet defeated on lake Champlain. Prevost's retreat from Plattsburg on commencement of land attack.
17th. Sortie from fort Erie. Repulsed by British.
- Oct. 10th. The "Saint Lawrence" fit for service. British masters of lake Ontario.
19th. Reconnaissance in force by the United States at Lyon's creek.
- Nov. 5th. Fort Erie evacuated; United States force leave Canadian soil.
6th. Raid Kentucky rifles stopped by strong force, Grand river.

ADDITIONAL SUBSCRIBERS,

1894-95.

Bourinot, Dr., House of Commons.
Coyne, Mr. James, Registrar, Elgin.
Drummond, Mr. H. A., Toronto.
Evans, Major Richard, Montreal.
Lindsay, Mr. Robert, Montreal.
Würtele, Mr. J. Wolfred, Ottawa.



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